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## P R E F A C E

I HAVE more than once read the two following Speeches of Burke with an upper class of boys, and I have found them capitally suited for the purpose. No book makes greater demands on the intelligence, or is more likely to awaken the interest of such a class. The Speeches are here printed without any omission, save that Burke's Resolutions, in the second Speech, are put into less technical and shorter language.

C. VAUGHAN.

## CONTENTS

	PAGE
PREFACE . . . . .	iii
BOOKS RECOMMENDED . . . . .	iv
LEADING DATES IN BURKE'S LIFE . . . . .	v
INTRODUCTION . . . . .	vi
TEXT . . . . .	1
NOTES . . . . .	121

THE following books may be recommended to students: Macaulay's *Essay on Chatham*; Trevelyan's *Early Life of Fox*; Prior's *Life of Burke*; Horace Walpole's *Letters*, vols. iv. v. vi.; De Tocqueville's *Democracy in America*, vol. i. pp. 1-92; and, above all, Bancroft's *History of the United States*, vols. iii. iv.; Mahon's *History of England*, vols. v. vi.; and Burke's *Letter to the Sheriffs of Bristol*. Johnson's *Taxation no Tyranny (Works*, vol. viii.), should also be read.

## SOME LEADING DATES IN BURKE'S LIFE

[For the *Life* itself the reader is referred to that by Mr. John Morley in the *English Men of Letters*.]

	YEAR
Birth . . . . .	1729 or 1730
Entered Parliament . . . . .	1765
<i>Thoughts on Causes of Present Discontents</i> . . . . .	1770
Speech on American Taxation . . . . .	1774
Speech on Conciliation with America . . . . .	1775
Speech on Economical Reform . . . . .	1780
Member of Rockingham's Ministry . . . . .	1782
Member of Coalition Ministry . . . . .	1783
Speech on Fox's East India Bill . . . . .	1783
Impeachment of Hastings . . . . .	1788-1795
Retirement from Parliament . . . . .	1794
<i>Reflections</i> . . . . .	1790
<i>Letter to a Member of the National Assembly</i> . . . . .	1791
<i>Appeal from the New to the Old Whigs</i> . . . . .	1791
<i>Thoughts on French Affairs</i> . . . . .	1791
<i>Remarks on the Policy of the Allies</i> . . . . .	1793
<i>Letter to a Noble Lord</i> . . . . .	1795
<i>Letters on a Regicide Peace (I.-III.)</i> . . . . .	1796-7
Death . . . . .	1797

## INTRODUCTION

THE following speeches of Burke are perhaps the most instructive, as well as among the most eloquent, that have ever been made. Their value is twofold. They lay open the causes of that great revolution which ended in the foundation of the American democracy. And they state the principles on which, in the opinion of a singularly wise statesman, a great nation ought to deal with its dependencies. A slight sketch of the facts which determined Burke's judgment on the first question, and of the methods adopted by him in treating of the second, will be here offered by way of introduction.

I. The history of the American Colonies may be roughly divided into three periods: (1) 1607–1660, the period of foundation and of free growth; (2) 1660–1764, the period of commercial regulation; (3) 1764–1776, the period of taxation.

(1) 1607–1660. The most important of the Colonies—Virginia in the south; Massachusetts, Connecticut, and Rhode Island in the north—were founded during the reigns of James I. and Charles I. Only three Colonies of the first rank were added later, and all in the reign of Charles II.: Carolina, founded under the advice of the famous Lord Shaftesbury and of Locke, the philosopher, in 1669; New York, taken by conquest from the Dutch, in 1664; and

Pennsylvania, founded by Penn, the Quaker favourite of the two last Stuart Kings, in 1681. By the time of the Restoration, however, the tendencies of political and religious life in the existing Colonies were so fully developed that the Colonies founded after that time could hardly, even if they had desired it, have struggled against the prevailing spirit. The year of the Restoration may therefore be taken to mark the end of the period of foundation.

Some of these Colonies, for instance Virginia, had been planted simply in the hope of commercial gain. Raleigh, who had attempted an earlier plantation here (1584-1587), had expected to find gold mines. But John Smith, the true founder of the Colony (1607), had turned from the search for gold as a pernicious dream, and had urged the colonists to 'expect nothing but by labour' and the tillage of the soil. Labour was still more markedly the rule in the northern Colonies, where the tobacco and sugar of the south were replaced by the cultivation of maize and the industrious working of the Atlantic fisheries.

But the northern Colonies were yet more notable for the spirit of religious fervour and of freedom which constituted the essence of their life. Founded by the Puritans, as a refuge from the persecution of James I., they kept the Puritan tradition alive and unbroken long after it had been stifled in the mother country. In Burke's language, the New Englanders were 'the dissidents of dissent, and the Protestants of the Protestant religion.' Both in religion and in politics they represented, under conditions far more favourable than had existed in the Old World, the essential aims and tendencies of the Puritan revolution.

In England the Puritans, at the moment of their triumph (1640-1645), had split into two parties—the Presbyterian

and the Independent. Both parties combined to seek purity of faith and worship ; but religious and intellectual freedom was the special watchword of the Independents. The Presbyterians, who controlled the policy of the Long Parliament, soon shewed that they were as little disposed, as Laud had been, to recognise the rights of private judgment. Their aim was to establish their own rigid doctrine and discipline as the sole law of the English Church, and to repress all non-conformity by force, in extreme cases by the punishment of death. The Independents denounced this as tyrannical and antichristian, and were willing—with some limitations—to concede to other sects the liberty which they claimed for themselves. Milton asserted their principles with the pen ; Cromwell, with more of hesitation, carried them into action.

In New England the opposition between these two tendencies was reflected in fainter colours than in the mother country. Yet, even in New England, the harshest measures were from time to time passed against Anabaptists and other extreme allies of the Independent party ; and, in some few cases, heterodoxy was punished by death. On the whole, however, it may be said that, during the seventeenth and eighteenth centuries, toleration was far better understood and far more consistently practised in the American Colonies than in any country of the Old World, not even excepting Holland.

The man who claims liberty in matters of religion would be strangely unreasonable if he refused to assert it also in the field of politics. It is certain that by the American Colonists, even more markedly than by the English Independents, the two principles were always regarded as bound to stand or fall together. Hence America, and in particular New

England, is no less notable as the home of self-government than as the home of religious freedom. In almost all the Colonies a more or less complete system of democracy, for purposes both of local and of central government, was in force either from the outset or long before the final dispute arose with the mother country. This was limited in most cases by the recognised right of the English Sovereign to appoint the Governor and, in some instances, his Council of State. But in two Colonies—Rhode Island and Connecticut—even this restriction was lacking. There, what may be called the normal type of American polity—democracy with a franchise little short of manhood suffrage—prevailed without restraint.

(2) 1660–1764. Such were the political institutions of the American Colonies, and such they remained, with a partial interruption during the reign of James II., until the accession of George III. Meantime the commercial policy of England had undergone a startling change. Till the Restoration the Colonies had been allowed to manage their own trade almost without interference. And as Holland was at that time the great carrying nation of the world, much of the Colonial trade had fallen into the hands of the Dutch. This had excited the jealousy of the English merchants; and even before the Restoration, during the Dutch war of 1651–2, an Act had been passed, intended on the one hand to transfer the carrying trade from the Dutch to the English, and, on the other hand, to coerce the few Colonies, which (like Virginia) still supported the Royalist cause against the Parliament, into submission. At the end of the war, however, and on the submission of the rebellious Colonies, this act had been allowed to lapse. Thus in 1658 Virginia invited the Dutch and other foreigners to trade

with its ports ; and in 1660, the very year of the Restoration, a formal statute granted free trade to 'every Christian nation' at peace with England.

The government of Charles II. treated the political claims of the Colonies with liberality ; but it determined to revive, as a permanent system, the restrictions on commerce which the Long Parliament had taken up as a mere instrument of war. Hence arose the Navigation Act of 1660—an Act which was partly enforced, partly modified, by much subsequent legislation. The general drift of this Act was to make both the importation and the exportation of goods to and from the Colonies impossible except in British vessels.

The aim of the measure was twofold. Its first object was to drive other nations from the carrying trade of the world and to secure it for Great Britain. This object was largely attained. In the reign of Charles II. the shipping trade of England was reckoned by an acute observer as a quarter of that carried on by all the States of Europe. That of Holland was reckoned at nearly one half. No other State was thought to reach more than a fifth part of the share of England. A century later (1774) Holland was still ahead of any other nation in this respect. But England was gradually creeping up to her ; and twenty years later, during the revolutionary war, was destined to drive her from the field. That this result was owing solely, or even mainly, to the Navigation Act, it is impossible to believe. But it is probable that, starting as she did with immense natural riches, England found in the Navigation Act a formidable weapon for forcing the acquired advantages of her rivals from their grasp.

The second object of the Navigation Act was, by the

encouragement of seafaring habits among the English, to provide an unfailing supply of mariners for the Royal Navy. Here the end of the Act was yet more quickly and completely gained. At the passing of the Navigation Act the English Navy, even under good admirals, was not more than equal, and under unskilful management was immeasurably inferior, to the Dutch. A century and a quarter later the Dutch Navy had ceased to be of any importance ; and England, even in the moment of her deepest humiliation, was able to meet and destroy the navies of France and Spain (1780-2). It would indeed be absurd to credit the Navigation Act, in and by itself, with the victories of Rodney and Elliot. But it would have been strange if the efficiency of the merchant-service had not reacted upon the efficiency of the Royal Navy. If 'trade follows the flag,' it is probably no less true that the flag follows trade ; and it is certain that the Navigation Act was defended on that ground by so staunch a free-trader as Adam Smith.

Thus the advantages of the Navigation Act to English merchants and to the English Navy were considerable. But that must not blind us to the great hardships which it inflicted on the American Colonies. It increased the cost of freightage ; it reduced the profits of exchange ; it shut out the Colonists from one of the most lucrative branches of trade. The one compensation for these hardships was that to a greater extent than probably would otherwise have been the case, it induced English merchants to employ their capital in the development of Colonial enterprise. This indeed was no small advantage ; 'the monopolist of the Colonists,' in Burke's language, 'was the richest man in the world,' and his riches were largely at their disposal. Yet, in spite of this compensation, and even before any other

cause of complaint had been added, the Colonists had learned to regard the Navigation Act as an intolerable grievance.

At the moment when irritation in the Colonies against the commercial policy of England was strongest, the need of her military aid, if not altogether removed, was at least suddenly weakened. For the last century (1660–1760) a desperate struggle for the possession of America had raged between France and England. For a long time it had seemed as if the French were likely to prevail. More than once they had threatened to advance from the basin of the St. Lawrence to the basin of the Mississippi, and so establish a link between their possessions in Canada to the North and their province of Louisiana in the South. If this had been done the position of the English Colonies along the Atlantic would have become perilous, perhaps untenable. They might at any moment have been conquered by the French; their expansion westwards towards the Pacific would certainly have been impossible. This danger was averted by the energy of the Colonies, the genius of Chatham, and the military skill of Wolfe. The conquest of Canada (1759), and its formal cession to England (1763), for ever destroyed the chance of a French Empire in America. The humiliation to France was great, but the gain to England was questionable. Acute observers in France predicted that the 'Colonies would not fail to shake off their dependence the moment Canada should be ceded.' The prophecy was shortly fulfilled. For the sword of England, which up to this time had been indispensable to the Colonies, was now become unnecessary. Their attachment to the mother country had been sapped by the Navigation Laws; their need of her was cancelled by the Treaty of Paris. The Colonies were no longer, in fact, dependent on England.

Unless skilfully managed, they might soon cease to be dependent, even in law.

(3) 1764-1776. Under these circumstances a wise statesman would have set himself to relax, if not entirely to repeal, the Navigation Act; he would have been content with a loose bond such as, at the present day, forms the only connection between the British Colonies and the mother country. Wisdom, however, was not the mark either of George III. or of his chosen advisers. While Chatham thought only of the glory won for his country by the Seven Years' War, the King and Grenville could see nothing but the cost. While he considered only the courage shewn by the Colonists against the common enemy, their eyes were fixed solely upon the independent spirit which had inspired that courage, and to have fostered which was the truest glory both of Chatham and of previous statesmen.

To recoup England, in some measure, for the cost of the war, and to curb the independence of the Colonies, was the double aim of the legislation that followed. No sooner had George III. come to the throne than schemes for a parliamentary taxation of America began to take shape. In the very year after the peace of Paris the first formal step in this direction was taken. The next year (1765) saw the passage of the Stamp Act. The Stamp Act, debated in the absence of Chatham, passed the House of Commons with but little opposition. In America it gave rise to bitter discontent, to riots, and even to organized resistance. For the first time in their history the Colonies formed a voluntary union; its object was to force the repeal of the measure which was denounced as 'the folly of England and the ruin of America.' In this, thanks to the aid of Burke and Chatham, the success of the first Congress was complete. But, in

defiance of Chatham's advice, repeal was accompanied by a measure which destroyed the grace of the concession, and seemed to threaten the colonies with a renewal of taxation. The Declaratory Act (1766) asserted the right of England to legislate for the Colonies 'in all cases whatsoever.' And, though they did not definitely mention taxation, the Ministers of the day, counselled by Burke, pointedly refused to exclude it from the scope of this sweeping claim.

It was not long before the veiled threat was put in force. In 1767 six fresh taxes were laid upon American commerce. America again resisted, and the Ministry (now that of Grafton and North) again yielded (1769). But again their submission was only partial. The five minor taxes were repealed; but the tea-tax, the most obnoxious of all, was retained. The avowed object of this disastrous policy was to assert the authority of the mother country over the Colonies. Both the tax itself, and the motive assigned for its retention, aroused the fiercest resentment in the Colonies. Associations were formed for the exclusion of British imports from the American market; the tea-chests were thrown into Boston harbour; the officers of the British Custom-house were tarred and feathered. Both Burke and Chatham implored Government to give way; but the Ministry, nominally led by Lord North, in reality by the King himself, obstinately refused to 'renew the fatal compliance of 1766,' and proceeded to pass a series of penal measures against Massachusetts and the other rebellious colonies. The Colonies, on their part, now saw that their one chance of freedom was to 'join or die'; and the general Congress of 1774 was yet more united and more determined than that of 1765. In the most important Colonies, notably in Virginia and Massachusetts, the King's authority was at an end. The outbreak of civil war was merely a question of time.

Fighting actually began within a month after Burke's scheme of reconciliation had been thrust scornfully aside by the House of Commons. The war was the most disastrous ever waged by England since the disgraceful reign of Charles II. In 1777 an English army, under Burgoyne, capitulated at Saratoga (October 17). At the beginning of the next year France made an open alliance with the revolted Colonies. Three years later (October 18, 1781) a second army, under Cornwallis, capitulated at Yorktown. England indeed retrieved her honour against the French and Spanish fleets at Jamaica and Gibraltar (1782); but in January, 1783, she was forced to conclude the treaty of Paris, by which the independence of the American Colonies, asserted since 1776, was at length formally recognised.

\* In his attempt upon the liberties of the Colonies George III. was thus ignominiously worsted. And it was well for the liberties of the mother country that this was so. In defending their own rights, the Americans were defending also the rights of their oppressors. And it is impossible to understand the full bearing of the struggle in America, unless we regard it as the prelude to a no less critical struggle in the mother country. The wisest statesmen had foretold, that if constitutional government were destroyed in America, it would not long survive in England. Of this danger Burke was no less clearly convinced than Chatham himself. But the two men confronted the peril in a strangely different spirit and by widely different methods. Burke fell back upon the traditional policy of the Whigs, whose avowed maxim was that of Walpole, *Quieta non*

\* The following passage on Home Politics has been added, in order to explain the position of Chatham, attacked by Burke in the speech on *Taxation*, p. 45.

*move, 'Let well alone'; and who, in practice, generally persuaded themselves to let things alone, even when all was not well.* Their policy was thus, strictly speaking, the negation of all policy ; their party was held together merely by the personal bond that naturally forms itself between men who have been accustomed to act, or even to remain inactive, together. Chatham, on the other hand, believed that the arbitrary designs of the King could only be met by a resolute appeal to the people ; the King's revival of old forms, by a bold reform of outworn institutions and a generous redressal of grievances. But, in attempting this, Chatham was brought into violent collision with the Whig party ; in urging the measures which he believed essential to the welfare of his country, he was driven to break with the men who, up to this time, had been reckoned as the natural guardians of English liberty.

In this unhappy variance the watchword of Burke was, 'Not measures but men' ; that of Chatham, 'Not men but measures.' So put, in fact, the question between them gives the key to the political situation during at least the first twenty-two years of George III. Chatham was probably right in thinking that all sections of the Whig party—the Rockinghams hardly less than the Grenvilles, Bedfords, and Newcastles—were more or less corrupt or selfish. He was wrong in supposing that, in an unreformed Parliament, it was possible, without their aid, to stand against the far worse corruption and selfishness of the King. George III. had a strong and, in part, a patriotic hatred for the exclusiveness and factiousness of the Whigs. But the desire to draw all power into his own hands, in the words of his mother, to 'be king,' was the ruling motive of all his acts. With this object he laboriously formed a still more factious and corrupt

party of his own, and maintained that party by the bribery which the system of Walpole and of Walpole's political heirs had laid ready to his hand. The Whigs were hoist with their own petard, and it is impossible to feel much pity for their fall. But Chatham, who had struggled honestly against their system, was compelled to share in their defeat.

Hence, when in 1766 he openly defied the Whigs and formed a ministry of 'no party,' Chatham in reality became a tool in the hands of the King. For the next sixteen years, first under the Duke of Grafton, then under Lord North, the Ministry, originally formed by Chatham, was nothing more than the mouthpiece of the King. The Whigs were indeed 'dished'; but the fruits of the victory fell not to Chatham, but to his unscrupulous sovereign. The 'men' whom Chatham despised were dethroned, but the 'measures' for which he fought were trampled in the dust, and a policy which he hated was relentlessly enforced. The victory of the King was secured by bribery; in the King's own words, by a plentiful 'administration of the golden pill'; and it was employed to open a general assault upon liberty, both in the Colonies and at home. The tea tax, the expulsion of Wilkes, the suppression of public meetings, and the attack on the freedom of the press, marked the various stages of the King's apparent triumph. The popularity of Wilkes and the scathing invectives of Junius were the presage, the loss of America was the lasting monument, of his ultimate defeat.

Chatham was removed by illness—an illness that came near to insanity—at the beginning of 1767. When he reappeared in 1769 he had learnt to accept alliance with the Whigs as the less of two evils. 'This I am resolved on,' he wrote, 'that I will not ever sit at council but to meet

the friends of Lord Rockingham. Whatever differences may have been between us must be forgotten. The state of the nation is such that all private animosities must subside. He, and he alone, has a knot of spotless friends, such as ought to govern the kingdom.' Nor was it only necessity which prompted him to this change of front. The Whigs had been purified by their exclusion from power—an exclusion which lasted, with two short interruptions, for more than sixty years (1766–1830). Discomfited by the astuteness of the King, they had been forced to make common cause with the people. They defended the rights of the press and the constituencies; they adopted a less ambiguous policy towards America; the more discerning among them were even ready to join Chatham in his bold schemes of Parliamentary Reform.

Reform, indeed, as such men saw little less clearly than Chatham himself, was the one thing needful. Only by reform could the Whigs be saved from the King and from themselves. So long as the House of Commons was representative only in name, nothing but accident could rescue political parties from becoming either tyrants themselves or instruments to the tyranny of the King. Such an accident came about in 1783, when the younger Pitt, the heir to much of his father's policy, was forced on the King, as the only alternative to Fox and North. The King's terror of Fox gave Pitt a leverage, which he used to enforce a wise and liberal system of administration. But it is clear that George early rebelled against the strong hand of his youthful master. Pitt's first ministry was eventually overthrown by a Court intrigue; his second was wrecked at the outset by the outspoken obstinacy of George III. It was not till reform was as good as won that parties once more

became national, or that ministers could count on controlling the personal prejudices of the sovereign. If Chatham had done nothing else, he would have been memorable as the first English statesman who had the wisdom to see the need of reform, and the courage to proclaim it. He laid the foundations on which, sixty years later, Grey and Russell built the sweeping measure of 1832.

II. Of the principles on which, in Burke's view, a great nation ought to deal with its dependencies there is no need to say many words. They are stated clearly, and with splendid eloquence, in the following speeches. 'Our hold of the Colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the Colonies always keep the idea of their civil rights associated with your government; they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance.' 'English Colonies must be had on these terms or not at all.' These are the principles which Burke urged more than a century ago. These are the principles which have long been accepted by men of all parties in our dealings with the Colonies. The last trace of resistance to them vanished when the Navigation Laws, already much relaxed, were finally repealed in 1863. The only question still in dispute is whether the case of Ireland comes within the scope of these principles; and, if not, on what grounds it can be excluded. On that question Burke had, and never ceased to have, a strong opinion. But he himself would probably have allowed that in Ireland the matter is complicated by differences of race, creed, and temperament, which, except in Canada, have had but little influence upon the history of our Colonies.

## ANALYSIS OF SPEECH ON TAXATION

I. (pp. 1-19.) The narrow ground (personal). Ministers themselves are bound by their past conduct to vote for repeal. For (1) they are not opposed to repeal on principle ; they have already repealed  $\frac{5}{6}$  of the taxes imposed in 1767 ; and, if repeal had been a bad principle, they would have been 'the worst of all repealers, because they were the last.' Nor (2) can they oppose the repeal of the tea-tax on grounds of expediency. Neither (a) on grounds of commercial expediency ; for tea, owing to its universal consumption and the facilities for smuggling it, is a less good object of taxation than any of the five taxes already repealed ; the tax on it has ruined the East India Company, and is a dead loss to the Exchequer. Nor (b) on grounds of political expediency ; for all unpopular taxes are politically inexpedient, and no tax is so unpopular in America as that on tea. Nor can Ministers urge that it is inexpedient, on political grounds, to yield to clamour. For they did so, by their own confession, and after vowing that they would never give way, in 1769 ; while, at the same time, they retained still more burdensome taxes in the Isle of Man, because there no clamour had arisen. 'Their commerce, policy, promises, reasons, and pretences all jointly oblige them to repeal the tea-tax.'

II. (pp. 20-58.) The broad ground (historical). The taxes are an innovation. Till 1764 taxation of the Colonies

was a thing unheard of ; the Navigation Laws were the only burden laid by England upon the Americans ; and to that burden they cheerfully submitted. The object of taxation was to raise a standing army in America, and, at the same time, to reduce the burdens which fell on the English tax-payer. With this aim Grenville followed up the port-duties of 1764 by the Stamp Act of 1765. Owing to the clamour of the Colonies, this was in 1766 repealed by Rockingham ; and the Colonies at once returned to their loyalty. But, under Chatham's Administration, the scheme of taxation was revived by Townshend in 1767. The new taxes naturally excited bitter discontent ; and, in 1769, five of them were repealed by North. But partial concession has not satisfied the Colonies. They will be content with nothing short of total repeal. Return to your old policy. Trust to the Navigation Laws rather than to taxation ; and, if you must raise money from the Colonies, only impose taxes in the last resort, when the Colonies have failed (as they have never yet failed) to give you a free grant.

## ANALYSIS OF SPEECH ON CONCILIATION

I. (59-72.) The proposals of Government are totally inadequate; but they at least concede the principle of conciliation—and that, '*previous* to any submission on the part of America.' On this principle a far more complete and satisfactory measure may be founded. What that measure should be, can only be seen when the circumstances of America are clearly realized. The crucial circumstances are: (1) the vast population of America (2,000,000); (2) the enormous increase of her commerce (our exports to the Colonies now amount to the total exports of England at the beginning of the century), her agriculture and her fisheries.

II. (72-85.) The Government, however, may reply that, just because of its wealth, 'America is an object well worth fighting for.' But force is temporary, uncertain, wasteful; and experience has proved it to be futile. The Americans are the last people to submit to force; for they love liberty (1) as Englishmen, (2) as descendants of the Puritans, (3) as born free, (4) as bred to the law, and (5) their distance makes force impossible; they have already defied your punishments, 'found anarchy tolerable,' and formed a new system of government for themselves.

III. (85-99.) Thus, of the three conceivable methods of dealing with them—these are (1) to change their spirit, by removing its causes, (2) to prosecute it as criminal, (3) to

comply with it as necessary—the first is ridiculous; the second has been proved impossible; the third is therefore the course we must adopt. This is the course which England has always adopted in parallel cases: *e.g.* Ireland, Wales, Chester, Durham; and till it was adopted, each of these districts was a constant scene of discontent and disorder.

IV. (99–111.) Distance forbids the representation of America in the English Parliament, the remedy adopted in the case of Wales, Chester, and Durham. But, as in Ireland, the powers of their colonial assemblies can be recognised and increased. Free grants from these assemblies to the English Crown can be legalised, and the obnoxious measures (the tea-tax, the Boston port bill, &c.) can be repealed. If this is done, America will be pacified.

V. (111–120.) North's bill (empowering the English Parliament to make requisitions from the colonial assemblies) will be a fruitful source of discord; it will establish 'not a standing revenue, but a perpetual quarrel' between England and the Colonies. If Parliament is magnanimous, it will reject North's scheme and accept that of Burke, as the foundation of 'the temple of peace.'

## SPEECH ON AMERICAN TAXATION

*me Cornwall*

SIR,—I agree with the honourable gentleman who spoke last, that this subject is not new in this house. Very disagreeably to this house, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, 5 session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate, with them. We have had them in every shape; we have looked at them in every point of view. 10 Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges. 15 Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the house, and to agree with the honourable gentleman on all the American questions. 20 My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship, he will permit me to apply myself to the house under the sanction of his authority; 25 and, on the various grounds he has measured out, to submit

to you the poor opinions which I have formed, upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the house two grounds of deliberation ; 5 one narrow and simple, and merely confined to the question on your paper ; the other more large and more complicated ; comprehending the whole series of the parliamentary proceedings with regard to America, their causes, and their consequences. With regard to the latter ground, he states 10 it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it, and 15 declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us ? He has reprobated in one part of his speech the rule he had laid 20 down for debate in the other ; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

Sir, when I cannot obey all his laws, I will do the best I 25 can. I will endeavour to obey such of them as have the sanction of his example, and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. uv  
I cannot prevail on myself to agree with him in his censure 30 of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise ; and the proper, the only proper, subject of inquiry is, "not how we got into this difficulty, but how we are to get out of it." In other words, we are, according to him, to 35 consult our invention, and to reject our experience. The mode of deliberation he recommends is diametrically opposite to every rule of reason, and every principle of good sense established amongst mankind. For that sense, and that

*Memorandum*  
*15th of October*

reason I have always understood absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors if they should be corrigible; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honourable gentleman in his historical discussion, without the least management for men or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the house satisfaction, I wish to tread the narrow ground to which alone the honourable gentleman, in one part of his speech, has so strictly confined us.

15

He desires to know whether, if we were to repeal this tax agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post on this concession, in order to make a new attack on the next body of taxes; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the experience which the honourable gentleman reprobates in one instant, and reverts to in the next; to that experience, without the least wavering or hesitation on my part, I steadily appeal; and would to God there was no other arbiter to decide on the vote with which the house is to conclude this day!

When parliament repealed the Stamp Act in the year 1766, I affirm first, that the Americans did not in consequence of this measure call upon you to give up the former parliamentary revenue which subsisted in that country; or even any one of the articles which compose it. I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the colonists with new jealousy, and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as

well as the new; then it was, and not till then, that they questioned all the parts of your legislative power; and by the battery of such questions have shaken the solid structure of this empire to its deepest foundations.

5 Of those two propositions I shall, before I have done, give such convincing, such damning proof, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this house. I speak with great confidence. I have reason 10 for it. The ministers are with me. They at least are convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the honourable gentleman who defends their measures is so much alarmed at. To their conduct I refer him for a conclusive answer to 15 his objection. I carry my proof irresistibly into the very body of both ministry and parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's ministerial friends on the new revenue itself.

20 The Act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the Act assigns six branches of duties. About two years 25 after this Act passed, the ministry, I mean the present ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the minister, 'Condemning, as 30 you do, the repeal of the Stamp Act, why do you venture to repeal the duties upon glass, paper, and painters' colours? Let your pretence for the repeal be what it will, are you not thoroughly convinced, that your concessions will produce not satisfaction, but insolence in the Americans; and that 35 the giving up these taxes will necessitate the giving up of all the rest?' This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the minister will recollect,

that the repeal of the Stamp Act had but just preceded his repeal ; and the ill policy of that measure (had it been so impolitic as it has been represented), and the mischiefs it produced, were quite recent. Upon the principles, therefore, of the honourable gentleman, upon the principles of the 5 minister himself, the minister has nothing at all to answer. He stands condemned by himself, and by all his associates, old and new, as a destroyer, in the first trust of finance, of revenues ; and, in the first rank of honour, as a betrayer of the dignity of his country. 10

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends, and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal 15 had no tendency to produce the mischiefs which gave so much alarm to his honourable friend. His work was not bad in its principle, but imperfect in its execution ; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, 20 he had left unfinished.

I hope, Sir, the honourable gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of ministry on their own favourite Act, that his fears from a repeal are groundless. If he is not, I leave him, and the 25 noble lord who sits by him, to settle the matter as well as they can together ; for, if the repeal of American taxes destroys all our government in America, he is the man ! and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and 30 formerly, 'The preamble ! what will become of the preamble, if you repeal this tax ?' I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisional part of the Act ; if that 35 can be called provisional which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now

*thus, reader*

drawn up before me, composed of the ancient household troops of that side of the house, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness ; but plain truth and clear evidence can be beat down by no ability. The clerk will be so good as to turn to the Act, and read this favourite preamble :

‘Whereas it is expedient that a revenue should be raised in your Majesty’s dominions in America, for making a more certain and 10 adequate provision for defraying the charge of administration of justice, and support of civil government, in such provinces where it shall be found necessary, and towards further defraying the expenses of defending, protecting, and securing the said dominions.’

You have heard this pompous performance. Now where 15 is the revenue which is to do all these mighty things ? Five-sixths repealed, abandoned, sunk, gone, lost for ever. Does the poor solitary tea duty support the purposes of this preamble ? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general 20 wreck ? Here, Mr. Speaker, is a precious mockery—a preamble without an Act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up ! This is raising a revenue in America ! this is preserving dignity in England ! If you repeal this tax in compliance with the 25 motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the Act is gone already ; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again, that the five taxes were 30 repealed on commercial principles. It is so said in the paper in my hand ; a paper which I constantly carry about ; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not ; for, if your government in America is destroyed by the 35 repeal of taxes, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your

objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. 5 Because every man, in the least acquainted with the detail of commerce, must know, that several of the articles on which the tax was repealed were fitter objects of duties than almost any other articles that could possibly be chosen; without comparison more so, than the tea that was left taxed; 10 as infinitely less liable to be eluded by contraband. The tax upon red and white lead was of this nature. You have, in this kingdom, an advantage in lead, that amounts to a monopoly. When you find yourself in this situation of advantage, you sometimes venture to tax even your own 15 export. You did so, soon after the last war; when, upon this principle, you ventured to impose a duty on coals. In all the articles of American contraband trade, who ever heard of the smuggling of red lead and white lead? You might, therefore, well enough, without danger of contraband, and 20 without injury to commerce (if this were the whole consideration) have taxed these commodities. The same may be said of glass. Besides, some of the things taxed were so trivial, that the loss of the objects themselves and their utter annihilation out of American commerce, would have been com- 25 paratively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead, and red lead, and painters' colours? Tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connec- 30 tions, of any in the mighty circle of our commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of

not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things, by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong, but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an Act, which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as threepence in the eyes of a financier, or so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe !

20 Do you forget that in the very last year, you stood on the precipice of general bankruptcy ? Your danger was indeed great. You were distressed in the affairs of the East India Company ; and you well know what sort of things are involved in the comprehensive energy of that significant 25 appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to 30 the verge of beggary and ruin. Such was your representation —such, in some measure, was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the company, would have prevented all this 35 distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America ; where tea is

next to a necessary of life; and where the demand grows upon the supply. I hope our dear-bought East India committees have done us at least so much good, as to let us know, that without a more extensive sale of that article our East India revenues and acquisitions can have no certain 5 connection with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burthen. They are ponderous indeed, and they must have that great country to lean upon, or they tumble upon your head. It is the same 10 folly that has lost you at once the benefit of the west and of the east. This folly has thrown open folding-doors to contraband, and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a 15 preamble. It must be given up. For on what principle does it stand? This famous revenue stands at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive!) vocabulary of finance—*a preambulary tax*. It is indeed a tax of sophistry, 20 a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

Well! but whatever it is, gentlemen will force the colonists to take the teas. You will force them? Has 25 seven years' struggle been yet able to force them? O, but it seems 'We are in the right; the tax is trifling—in effect it is rather an exoneration than an imposition; three-fourths of the duty formally payable on teas exported to America is taken off; the place of collection is only shifted; instead of 30 the retention of a shilling from the drawback here, it is threepence custom in America.' All this, sir, is very true. But this is the very folly and mischief of the Act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your 35 hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass imposed by the same Act, was exactly in the same spirit. There are heavy excises on those articles when used in England. On export these excises are drawn back. But 5 instead of withholding the drawback, which might have been done with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; 10 you allowed the whole drawback on export, and then you charged the duty (which you had before discharged), payable in the colonies; where it was certain the collection would devour it to the bone; if any revenue were ever suffered to be collected at all. One spirit pervades and animates the 15 whole mass.

Could anything be a subject of more just alarm to America, than to see you go out of the plain high road of finance, and give up your most certain revenues and your clearest interest, merely for the sake of insulting your colonies? No man 20 ever doubted that the commodity of tea could bear an imposition of threepence. But no commodity will bear threepence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the 25 feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden, when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle on which it was demanded, 30 would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, Sir, upon the *principle* of this measure, and 35 nothing else, that we are at issue. It is a principle of political expediency. Your Act of 1767 asserts, that it is expedient to raise a revenue in America; your Act of 1769, which takes away that revenue, contradicts the Act of 1767;

and, by something much stronger than words, asserts that it is not expedient. It is a reflection upon your wisdom to persist in a solemn parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance 5 escape you; it is very material; that the preamble of this Act, which we wish to repeal, is not *declaratory of a right*, as some gentlemen seem to argue it; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted; an exercise you are now 10 contending for by ways and means which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom; a quiddity; a thing that wants, not only a substance, but even a name; for a 15 thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you; for it has of late been ever at war with 20 your interest, your equity, and every idea of your policy. Shew the thing you contend for to be reason; shew it to be common sense; shew it to be the means of attaining some useful end; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance- 25 in absurdity is more than ever I could discern. The honourable gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not! every hour you continue on this ill-chosen ground, your 30 difficulties thicken on you; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace and the necessity of yielding both of them grow upon you every hour of your delay.

But will you repeal the Act, says the honourable gentle- 35 man, at this instant when America is in open resistance to your authority, and that you have just revived your system of taxation? He thinks he has driven us into a corner. But

thus pent up, I am content to meet him; because I enter the lists supported by my old authority, his new friends, the ministers themselves. The honourable gentleman remembers that about five years ago as great disturbances as the present 5 prevailed in America on account of the new taxes. The ministers represented these disturbances as treasonable; and this house thought proper, on that representation, to make a famous address for a revival, and for a new application, of a statute of Henry VIII. We besought the king, in that well-10 considered address, to enquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the house to resist these violences, and to bring about a repeal, 15 were treated with the utmost scorn. An apprehension of the very consequences now stated by the honourable gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes, that the session concluded with 20 the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the throne proceeds:

'You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable 25 the well-disposed among my subjects in that part of the world effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the legislature, in maintaining the execution of the laws in every part of my dominions.'

30 After this no man dreamed that a repeal under this ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the house. This speech was made on the 9th day of May, 1769. Five days after this speech, that is, 35 on the 13th of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, secretary of state for the colonies.

After reciting the substance of the king's speech, he goes on thus :

'I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his Majesty's present administration have at no time entertained a design 5 to propose to parliament to lay any further taxes upon America, for the purpose of raising a revenue ; and that it is at present their intention to propose, the next session of parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid on contrary to the true principles of commerce. 10

"These have always been, and still are, the sentiments of his Majesty's present servants ; and by which their conduct in respect to America has been governed. And his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies ; and to re-establish that mutual confidence and affection, upon which the glory and safety of the British empire depend.' 15

Here, Sir, is a canonical book of ministerial scripture ; the 20 general epistle to the Americans. What does the gentleman say to it ? Here a repeal is promised ; promised without condition ; and while your authority was actually resisted. I pass by the public promise of a peer relative to the repeal of taxes by this house. I pass by the use of the king's name 25 in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of parliament hurling its thunders at the gigantic rebellion of America ; and then five days after, prostrate at the feet of those assemblies we affected to despise ; begging them, by the intervention of our ministerial sureties, to receive our submission ; and heartily promising amendment. These might have been 30 serious matters formerly ; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply that the idea of taxing America for the purpose of revenue is an 35 abominable project ; when the ministry suppose none but factious men, and with seditious views, could charge them with it ? does not this letter adopt and sanctify the American distinction of taxing for a revenue ? does it not formally 40

reject all future taxation on that principle? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant opinion of the king's servants? does it not say (I care not how consistently), but does it not 5 say, that their conduct with regard to America has been always governed by this policy? It goes a great deal further. These excellent and trusty servants of the king, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious sovereign from 10 the inmost and most sacred shrine, and they pawn him as a security for their promises.—‘His Majesty relies on your prudence and fidelity for such an explanation of his measures.’ These sentiments of the minister, and these measures of his Majesty, can only relate to the principle and practice of taxing 15 for a revenue; and accordingly Lord Botetourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly, lest the sentiments which it seems (unknown to the world) had always been those of the ministers, 20 and by which their conduct in respect to America had been governed, should by some possible revolution, favourable to wicked American taxers, be hereafter counteracted. He addresses them in this manner:

‘It may possibly be objected, that, as his Majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers shall have attempted to perform; and to that objection I can give but this answer; that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from; and so determined am I for 30 ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be legally invested, in order to obtain and maintain for the continent of America that satisfaction which I have been authorized to 35 promise this day by the confidential servants of our gracious sovereign, who to my certain knowledge rates his honour so high, that he would rather part with his crown, than preserve it by deceit.’

A glorious and true character! which (since we suffer his ministers with impunity to answer for his ideas of taxation) 40 we ought to make it our business to enable his Majesty to

preserve in all its lustre. Let him have character, since ours is no more! Let some part of government be kept in respect!

This epistle was not the letter of Lord Hillsborough solely, though he held the official pen. It was the letter of the 5 noble lord upon the floor, and of all the king's then ministers, who (with I think the exception of two only) are his ministers at this hour. The very first news that a British parliament heard of what it was to do with the duties, which it had given and granted to the king, was by the publication 10 of the votes of American assemblies. It was in America that your resolutions were pre-declared. It was from thence that we knew to a certainty, how much exactly, and not a scruple more nor less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had 15 *confidential* communications from his majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder, that you have no weight and no respect in the colonies? After this, are you surprised that parliament is every day and everywhere losing (I feel it with 20 sorrow, I utter it with reluctance) that reverential affection which so endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this house, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning 25 and clumsy buttresses of arbitrary power?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If in the session of 1768, that session of idle 30 terror and empty menaces, you had, as you were often pressed to do, repealed these taxes, then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence; and before terrors 35 could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans which they had refused in an easy,

good-natured, complying British Parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial directors blustered like tragic 5 tyrants here, and then went mumping with a sore leg in America, canting, and whining, and complaining of faction, which represented them as friends to a revenue from the colonies. I hope nobody in this house will hereafter have the impudence to defend American taxes in the name of 10 ministry. The moment they do, with this letter of attorney in my hand, I will tell them in the authorized terms they are wretches, with factious and seditious views; enemies to the peace and prosperity of the mother country and the colonies, and subverters of the mutual affection and confidence 15 on which the glory and safety of the British empire depend.

After this letter, the question is no more on propriety or dignity. They are gone already, the faith of your sovereign is pledged for the political principle; the general declaration 20 in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing, or you must send the ministers tarred and feathered to America, who dared to hold out the royal faith for a renunciation of all taxes for revenue. Them you must punish, or this faith you must 25 preserve; the preservation of this faith is of more consequence than the duties on red lead or white lead, or on broken glass, or atlas-ordinary, or demy-fine, or blue-royal, or bastard, or fool's-cap, which you have given up; or the threepence on tea which you retained. The letter went 30 stamped with the public authority of this kingdom. The instructions for the colony government go under no other sanction; and America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the colonies for acting on 35 distinctions, held out by that very ministry which is here shining in riches, in favour, and in power; and urging the punishment of the very offence to which they had themselves been the tempters.

Sir, if reasons respecting simply your commerce, which is your own convenience, were the sole grounds of the repeal of the five duties, why does Lord Hillsborough, in disclaiming in the name of the king and ministry their ever having had an intent to tax for revenue, mention it as 5 the means of re-establishing the confidence and affection of the colonies? Is it a way of soothing others, to assure them that you will take good care of yourself? The medium, the only medium for regaining their affection and confidence, is that you will take off something oppressive to their 10 minds. Sir, the letter strongly enforces that idea; for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting the insinuations of men with factious and seditious views is by a disclaimer of the intention of taxing for revenue, as a constant invariable 15 sentiment and rule of conduct in the government of America.

I remember that the noble lord on the floor—not in a former debate to be sure (it would be disorderly to refer to it, I suppose I read it somewhere), but the noble lord—was 20 pleased to say that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767; I mean those taxes which he voted for imposing and voted for repealing; as being taxes contrary to all the principles of commerce laid on British manufactures. 25

I dare say the noble lord is perfectly well read, because the duty of his particular office requires he should be so, in all our revenue laws; and in the policy which is to be collected out of them. Now, Sir, when he had read this Act of American revenue, and a little recovered from his 30 astonishment, I suppose he made one step retrograde (it is but one), and looked at the Act which stands just before in the statute book. The American Revenue Act is the forty-fifth chapter, the other to which I refer is the forty-fourth of the same session. These two Acts are both to the same 35 purpose, both Revenue Acts, both taxing out of the kingdom, and both taxing British manufactures exported. As the forty-fifth is an Act for raising a revenue in America, the

forty-fourth is an Act for raising a revenue in the Isle of Man. the two Acts perfectly agree in all respects except one. In the Act for taxing the Isle of Man the noble lord will find, not, as in the American Act, four or five articles, but 5 almost the whole body of British manufactures taxed from two and a half to fifteen per cent.; and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too; for I now recollect, 10 British corn is there also taxed up to ten per cent.; and this too in the very head-quarters, the very citadel of smuggling, the Isle of Man. Now, will the noble lord condescend to tell me why he repealed the taxes on your manufactures sent out to America, and not the taxes on the manufactures 15 exported to the Isle of Man? The principle was exactly the same, the objects charged infinitely more extensive, the duties without comparison higher. Why? Why, notwithstanding all his childish pretexts, because the taxes were quietly submitted to in the Isle of Man, and because they 20 raised a flame in America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain the confidence and affection of the colonies, on which the glory and safety of the British empire depend. A wise and just motive surely, 25 if ever there was such. But the mischief and dishonour is, that you have not done what you had given the colonies just cause to expect, when your ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or 30 steady in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. 35 There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has in effect been disclaimed in your

name, and which produces you no advantage, no, not a penny. Or, if you chose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning 5 the five others that you have already renounced.

The American consumption of tea is annually, I believe, worth £300,000, at the least farthing. If you urge the American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer 10 this plain question—Why did you repeal the others given in the same Act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession. No! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured; or even 15 the pretence on which the repeal of the other taxes was announced, and because, by enabling the East India Company to open a shop for defeating the American resolution not to pay that specific tax, you manifestly shewed a hankering after the principle of the Act which you formerly 20 had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every visto. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal. 25

But still it sticks in our throats, if we go so far, the Americans will go farther. We do not know that. We ought from experience rather to presume the contrary. Do we not know for certain, that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they 30 do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent their further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors, is peace, good-will, order, 35 and esteem, on the part of the governed. I would, certainly, at least, give these fair principles a fair trial; which, since the making of this Act to this hour, they never have had.

*Here begins the historical portion of his speech*

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique 5 reflections to say something on the historical part. I shall therefore, Sir, open myself fully on that important and delicate subject, not for the sake of telling you a long story (which, I know, Mr. Speaker, you are not particularly fond of), but for the sake of the weighty instruction that, I flatter 10 myself, will necessarily result from it. It shall not be longer, if I can help it, than so serious a matter requires.

Permit me then, Sir, to lead your attention very far back; back to the Act of Navigation; the corner-stone of the policy of this country with regard to its colonies. Sir, that policy 15 was from the beginning purely commercial, and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the colonists to dispose of what, in the course of your trade, you could not take; or to enable them 20 to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations: hence the innumerable checks and counterchecks: hence that infinite variety of paper chains by which you bind together 25 this complicated system of the colonies. This principle of commercial monopoly runs through no less than twenty-nine Acts of parliament, from the year 1660 to the unfortunate period of 1764.

In all those Acts the system of commerce is established, 30 as that from whence alone you proposed to make the colonies contribute (I mean directly, and by the operation of your superintending legislative power) to the strength of the empire. I venture to say, that during that whole period, a parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed 35 with regard to the plantations, the words which distinguish revenue laws, specifically as such, were, I think, premeditately avoided. I do not say, Sir, that a form of words alters the

nature of the law, or abridges the power of the lawgiver. It certainly does not. However, titles and formal preambles are not always idle words ; and the lawyers frequently argue from them. I state these facts to shew, not what was your right, but what has been your settled policy. Our revenue 5 laws have usually a title, purporting their being grants ; and the words 'give and grant' usually precede the enacting parts. Although duties were imposed on America in Acts of King Charles the Second, and in Acts of King William, no one title of giving 'an aid to his Majesty,' or any other 10 of the usual titles to Revenue Acts, was to be found in any of them till 1764 ; nor were the words 'give and grant' in any preamble until the 6th of George the Second. However, the title of this Act of George the Second, notwithstanding the words of donation, considers it merely as a regulation of 15 trade, 'an Act for the better securing of the trade of his majesty's sugar colonies in America.' This Act was made on a compromise of all, and at the express desire of a part, of the colonies themselves. It was therefore in some measure with their consent ; and having a title directly 20 purporting only a commercial regulation, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor Bernard, in his second printed letter, dated in 1763, gives it as his opinion, that 'it was an Act of 25 prohibition, not of revenue.' This is certainly true, that no Act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year I have mentioned ; that is, the year 1764. All before this period stood on commercial 30 regulation and restraint. The scheme of a colony revenue by British authority appeared therefore to the Americans in the light of a great innovation ; the words of Governor Bernard's ninth letter, written in Nov. 1765, state this idea very strongly ; 'It must,' says he, 'have been supposed, 35 such an innovation as a parliamentary taxation would cause a great alarm, and meet with much opposition in most parts of America ; it was quite new to the people, and had no

visible bounds set to it.' After stating the weakness of government there, he says, 'Was this a time to introduce so great a novelty as a parliamentary inland taxation in America?' Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental Act of Navigation until 1764. Why? Because men do bear the inevitable constitution of their original nature with all its infirmities. The Act of Navigation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their fisheries, their agriculture, their ship-building (and their trade too within the limits), in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies of yesterday; than a set of miserable outcasts, a few years ago not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness three thousand miles from all civilized intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce,

but you actually created the very objects of trade in America; and by that creation you raised the trade of this kingdom at least four-fold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. 10 She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom; but comparing it with the ordinary circumstances of human nature, it was an happy and a liberal condition. 15

I know, Sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this house and out of it, that in America the Act of Navigation neither is, or ever was, obeyed. But if you take the colonies through, I affirm that its authority never was disputed; that it was 20 no where disputed for any length of time; and on the whole, that it was well observed. Wherever the Act pressed hard, many individuals indeed evaded it. This is nothing. These scattered individuals never denied the law, and never obeyed it. Just as it happens whenever the laws of trade, 25 whenever the laws of revenue, press hard upon the people in England; in that case all your shores are full of contraband. Your right to give a monopoly to the East India Company, your right to lay immense duties on French brandy, are not disputed in England. You do not make this charge on any 30 man. But you know that there is not a creek from Pentland Frith to the Isle of Wight in which they do not smuggle immense quantities of teas, East India goods, and brandies. I take it for granted, that the authority of Governor Bernard in this point is indisputable. Speaking of these laws, as 35 they regarded that part of America now in so unhappy a condition, he says, 'I believe they are no where better supported than in this province; I do not pretend that it is

entirely free from a breach of these laws ; but that such a breach, if discovered, is justly punished.' What more can you say of the obedience to any laws in any country ? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority ; and was the payment you originally imposed for your protection.

~~Whether~~ Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere 10 speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union ; perfect uncompensated slavery. You have long since decided for yourself and them ; 15 and you and they have prospered exceedingly under that decision.

63 This nation, Sir, never thought of departing from that choice until the period immediately on the close the last war. Then a scheme of government new in many things seemed 20 to have been adopted. I saw, or thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honour of a seat in this house. At that period the necessity was established of keeping up 25 no less than twenty new regiments, with twenty colonels capable of seats in this house. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of 30 military establishment was resolved on, a revenue was to be found to support so great a burthen. Country gentlemen, the great patrons of economy, and the great resistors of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, 35 if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them ; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, did dazzle them, by

playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, 5 this country owes very great obligations. I do believe that he had a very serious desire to benefit the public, but with no small study of the detail he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that 10 were rather too detached. Whether the business of an American revenue was imposed upon him altogether; whether it was entirely the result of his own speculation; or, what is more probable, that his own ideas rather coincided with the instructions he had received; certain it is, that, 15 with the best intentions in the world, he first brought this fatal scheme into form, and established it by Act of parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party-differences have been 20 long ago composed; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application un- 25 dissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy; and he seemed to have no delight out of this house, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will 30 say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low pimping politics of a court, but to win his way to power, through the laborious gradations of public service; and to secure himself a well-earned rank in parliament, by a thorough knowledge 35 of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsical; they must be rather sought in the particular

habits of his life; which, though they do not alter the ground-work of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of 5 human sciences; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did 10 not go very largely into the world; but plunged into business; I mean into the business of office; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line; and there is no knowledge which is not valuable. But it may be truly said, that 15 men too much conversant in office, are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions; and 20 therefore persons who are nurtured in office do admirably well, as long as things go on in their common order; but when the high-roads are broken up, and the waters out; when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of 25 mankind, and a far more extensive comprehension of things is requisite than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived along with him, that the 30 flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol. I mean the Act of Naviga- 35 tion. He has often professed it to be so. The policy of that Act is, I readily admit, in many respects well understood. But I do say, that if the Act be suffered to run the full length of its principle, and is not changed and modified

according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last year of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundancy, and breaking its banks on the right and on the left, it spread out upon some places, where it was indeed improper, upon others where it was only irregular. 10  
It is the nature of all greatness not to be exact; and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure 15 of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eye somewhat less than was just, towards the incredible increase of the fair trade, and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a 20 singular degree of anxiety on the subject, and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the Admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the Treasury (my Lord Bute 25 was then at the head of the board), heavily complaining of the growth of the illicit commerce in America. Some mischief happened even at that time from this over-earnest zeal. Much greater happened afterwards when it operated with greater power in the highest department of the finances. 30 The bonds of the Act of Navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying, but actually strangling them. All this coming with new 35 enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies; with the appointment of Courts of Admiralty

under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as delinquents, or at 5 best as people under suspicion of delinquency; and in such a manner as, they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror. ~~✓~~

10 But the grand manœuvre in that business of new regulating the Colonies, was the 15th Act of the fourth of George III.; which, besides containing several of the matters to which I have just alluded, opened a new principle; and here properly began the second period of the policy of this 15 country with regard to the colonies; by which the scheme of a regular plantation parliamentary revenue was adopted in theory and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly; which monopoly was enforced at the same time with additional 20 strictness, and the execution put into military hands.

This Act, Sir, had for the first time the title of 'granting duties in the colonies and plantations of America,' and for the first time it was asserted in the preamble that it was just and necessary that a revenue should be raised. Then 25 came the technical words of giving and granting, and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the colonies without any formal consent of theirs. There are also contained in the preamble to that 30 Act these very remarkable words—The Commons, &c., 'being desirous to make *some* provision in the present session of parliament *towards* raising the said revenue.' By these words it appeared to the colonies, that this Act was but a beginning of sorrows; that every session was to produce 35 something of the same kind, that we were to go on from day to day in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial

assemblies in which the Americans felt all their portion of importance, and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent and endless in duration. Sir, they were not mistaken. The ministry valued themselves 5 when this act passed, and when they gave notice of the Stamp Act, that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly 10 crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate, that when the first American Revenue Act (the Act in 1764 imposing the port duties) passed, the Americans did not object to the principle. 15 It is true they touched it but very tenderly. It was not a direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of parliament. The duties were port duties, like those they had been accustomed to bear, with this difference, that the 20 title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refutation of the pretence for their present cruelty to America; for it shows, out of their own mouths, that our 25 colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad (spread with a malignant intention, which I cannot attribute to those who say the same thing in this house), that Mr. Grenville gave 30 the colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the 35 innumerable debates that were had upon the subject. He might have proposed to the colony agents, that they should agree in some mode of taxation as the ground of an Act of

parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr. Grenville well knew that the colony agents could have no general powers to consent to it ; and 5 they had no time to consult their assemblies for particular powers, before he passed his first Revenue Act. If you compare dates, you will find it impossible. Burthened as the agents knew the colonies were at that time, they could not give the least hope of such grants. His own favourite 10 governor was of opinion that the Americans were not then taxable objects.

[Passage from letter quoted.]

These are the words of Governor Bernard's letter to a member of the old ministry, and which he has since printed. Mr. 15 Grenville could not have made this proposition to the agents, for another reason. He was of opinion, which he has declared in this house an hundred times, that the colonies could not legally grant any revenue to the crown ; and that infinite mischiefs would be the consequence of such a power. 20 When Mr. Grenville had passed the first Revenue Act, and in the same session had made this house come to a resolution for laying a stamp duty on America, between that time and the passing the Stamp Act into a law, he told a considerable and most respectable merchant, a member of this house, 25 whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the stamp duty was disliked, he was willing to exchange it for any other equally productive ; but that if he objected to the Americans being taxed by parliament, he might save himself the trouble 30 of the discussion, as he was determined on the measure. This is the fact ; and if you please, I will mention a very unquestionable authority for it.

Thus, Sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture 35 could be made of the dislike of the colonies to the principle. This is as untrue as the other. After the resolution of the house, and before the passing of the Stamp Act, the colonies of Massachusetts Bay and New York did send remonstrances,

objecting to this mode of parliamentary taxation. What was the consequence? They were suppressed; they were put under the table, notwithstanding an Order of Council to the contrary, by the ministry which composed the very Council that had made the Order; and thus the house proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that house its due, it was not over desirous to receive information or to hear remonstrance. On the 15th of February, 1765, whilst the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the colonies, they had no alternative left them but to disobey, or to pay the taxes imposed by that parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the colonies before his Majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address him self to me.

Sir, I will answer him as clearly as I am able, and with great openness; I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this house, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the Treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an

enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than I, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in 5 that summer received a strong representation from many weighty English merchants and manufacturers, from Governors of provinces and Commanders of men of war, against almost the whole of the American commercial regulations, and particularly with regard to the total ruin which was threatened 10 to the Spanish trade. I believe, Sir, the noble lord soon saw his way in this business. But he did not rashly determine against Acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the 15 alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law. On the other, the Act of Navigation and all the corps of trade laws were drawn up in array against it.

20 The first step the noble lord took, was to have the opinion of his excellent, learned, and ever-lamented friend, the late Mr. Yorke, then Attorney-General, on the point of law. When he knew that, formally and officially, which in substance he had known before, he immediately dispatched 25 orders to redress the grievance. But I will say it for the then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the Acts of Trade had been, as they were not, directly against him; and would have cheerfully 30 submitted to the equity of parliament for his indemnity.

On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the Stamp Act, arrived in England. It was not until the end of October that these accounts were received. No sooner had the 35 sound of that mighty tempest reached us in England, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out that the ministry, from envy

to the glory of their predecessors, were prepared to repeal the Stamp Act. Near nine years after, the honourable gentleman takes quite opposite ground, and now challenges me to put my hand to my heart, and say, whether the ministry had resolved on the appeal till a considerable time after the 5 meeting of parliament. Though I do not very well know what the honourable gentleman wishes to infer from the admission, or from the denial of this fact, on which he so earnestly adjures me; I do put my hand on my heart and assure him, that they did not come to a resolution directly 10 to repeal. They weighed this matter as its difficulty and importance required, they considered maturely among themselves, they consulted with all who could give advice or information. It was not determined until a little before the meeting of parliament, but it was determined; and the 15 main lines of their own plan marked out before that meeting.

Two questions arose (I hope I am not going into a narrative troublesome to the house,)

[A cry of, 'Go on, go on.']

20

The first of the two considerations was, whether the repeal should be total, or whether only partial; taking out everything burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle should the Act be 25 repealed? On this head also two principles were started: One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce 30 on which the colonies were founded; and contrary to every idea of political equity, by which equity we are bound, as much as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option both of the measure, and of the principle of 35 repeal, was made before the session; and I wonder how any one can read the king's speech at the opening of that session, without seeing in that speech both the repeal and the

Declaratory Act very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the honourable gentleman will not think that a great deal less time, than was then employed, ought to have 5 been spent in deliberation; when he considers that the news of the troubles did not arrive till towards the end of October. The parliament sat to fill the vacancies on the 14th day of December, and on business the 14th of the following January.

*stroke* Sir, a partial repeal, or, as the bon ton of the court then 10 was, a modification, would have satisfied a timid, unsystematic, procrastinating ministry, as such a measure has since done such a ministry. A modification is the constant resource of weak undeciding minds. To repeal by a denial of our right to tax in the preamble (and this too did not want 15 advisers), would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted, and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into 20 many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labour did knight's service. It opened the eyes of several to the true state of the American affairs, it enlarged their ideas, it removed prejudices, and it con- 25 ciliated the opinions and affections of men. The noble lord who then took the lead in administration, my honourable friend under me, and a right honourable gentleman (if he will not reject his share, and it was a large one, of this business), exerted the most laudable industry in bringing 30 before you the fullest, most impartial, and least-garbled body of evidence that ever was produced to this house. I think the inquiry lasted in the committee for six weeks; and at its conclusion this house, by an independent, noble, spirited, and unexpected majority; by a majority that will redeem 35 all the acts ever done by majorities in parliament; in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and

practised instruments of a court, gave a total repeal to the stamp-act, and (if it had been so permitted) a lasting peace to this whole empire.

I state, Sir, these particulars, because this act of spirit and fortitude has lately been in the circulation of the season, 5 and in some hazardous declamations in this house, attributed to timidity. If, Sir, the conduct of the ministry in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as 10 personal timidity does in the field. But timidity with regard to the well-being of our country is heroic virtue. The noble lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were 15 not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched. He looked in the face of one of the ablest, and, let me say, not the most scrupulous oppositions, that perhaps ever was in this house, and withstood it, unaided by even one of the 20 usual supports of administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting, I mean Lord Chatham. He did this when he passed the Declaratory Act. 25

It is now given out for the usual purposes, by the usual emissaries, that Lord Rockingham did not consent to the repeal of this Act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert in an hundred companies that the honourable gentle- 30 man under the gallery, who proposed the repeal in the American committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the 35 highest to the lowest companies; as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble lord is of a complexion to be bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying 5 situations in which, perhaps, any man ever stood. In the house of peers there were very few of the ministry, out of the noble lord's own particular connection, (except Lord Egmont, who acted, as far as I could discern, an honourable and manly part,) that did not look to some other future 10 arrangement which warped his politics. There were in both houses new and menacing appearances, that might very naturally drive any other than a most resolute minister from his measure or from his station. The household troops openly revolted. The allies of ministry (those I mean who 15 supported some of their measures, but refused responsibility for any) endeavoured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of repeal was brought on by ministry in the committee of 20 this house, in the very instant when it was known that more than one court negociation was carrying on with the heads of the opposition. Everything, upon every side, was full of traps and mines. Earth below shook, heaven above menaced, all the elements of ministerial safety were dissolved. It was 25 in the midst of this chaos of plots and counter plots, it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground, no, not an inch. He remained fixed and 30 determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this house. Far from the 35 duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare, for one, I knew well enough (it could

*myself*

not be concealed from any body) the true state of things ; but, in my life, I never came with so much spirits into this house. It was a time for a man to act in. We had powerful enemies, but we had faithful and determined friends, and a glorious cause. We had a great battle to fight, but we had 5 the means of fighting ; not as now, when our arms are tied behind us. We did fight that day, and conquer.

I remember, Sir, with a melancholy pleasure, the situation of the honourable gentleman who made the motion for the repeal ; in that crisis, when the whole trading interest of 10 this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors, thrown open, shewed them the figure of their deliverer in the 15 well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all 20 America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. Hope elevated and joy brightened his <sup>friend</sup> <sub>in</sub> crest. I stood near him, and his face, to use the expression of the Scripture of the first martyr, 'his face was as if it had 25 been the face of an angel.' I do not know how others feel, but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honour would have been a bond to hold us all together for ever. 30 But, alas ! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that, having no scheme of their own, took a middle line, pilfered 35 <sup>at</sup> a bit from one side and a bit from the other. Sir, they took no middle line. They differed fundamentally from the schemes of both parties ; but they preserved the objects of

both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act, they repealed the Stamp Act. They did both fully, because the Declaratory Act was without qualification; and the repeal of the Stamp Act total. This they did in the situation I have described.

Now, Sir, what will the adversary say to both these acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If 10 the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue? If both were bad, why has this ministry incurred all the inconveniences of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce 15 again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration.

We, who would persuade you to revert to the ancient 20 policy of this kingdom, labour under the effect of this short current phrase which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your colonies. Their cant is this, all the disturbances in America have been created by the repeal of the Stamp Act. I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character 25 of those who have issued it for circulation, I will clearly lay before you the state of America antecedently to that repeal, after the repeal, and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any before the repeal, were slight; and without difficulty or inconvenience 35 might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the Stamp Act, who certainly meaning well to the authority of this country, and fully apprised of the state of that, made, before

*informed of*

a repeal was so much as agitated in this house, the motion which is on your journals; and which, to save the clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765:

5

'To express our just resentment and indignation at the outrageous tumults and insurrections which have been excited and carried on in North America, and at the resistance given by open and rebellious force to the execution of the laws in that part of his majesty's dominions. And to assure his majesty, that his faithful commons, animated with 10 the warmest duty and attachment to his royal person and government, will firmly and effectually support his majesty in all such measures as shall be necessary for preserving and supporting the legal dependence of the colonies on the mother country,' &c.

Here was certainly a disturbance preceding the repeal; 15 such a disturbance as Mr. Grenville thought necessary to qualify by the name of an insurrection, and the epithet of a rebellious force: terms much stronger than any by which those who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in America. 20 They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American governors came before the house, they appeared stronger even 25 than the warmth of public imagination had painted them; so much stronger that the papers on your table bear me out in saying, that all the late disturbances, which have been at one time the minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences for 30 refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that Act.

Ministry cannot refuse the authority of the Commander-in-chief, General Gage, who, in his letter of the 4th of November, 35 from New York, thus represents the state of things:

'It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements to oppose the Act, by what they are pleased to term all legal

opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the provinces are in the same situation as to a positive refusal to take the stamps ; and threatening those who shall take them, to plunder and murder them ; and this 5 affair stands in all the provinces, that unless the Act, from its own nature, enforce itself, nothing but a very considerable military force can do it.'

It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly the violent resolutions of assemblies ; the universal insurrections ; the seizing and burning the stamped papers ; the forcing stamp officers to resign their commissions under the gallows ; the rifling and pulling down of the houses of magistrates ; and the expulsion from their country of all who dared to write or speak a single word in 15 defence of the powers of parliament ; these very trumpeters are now the men that represent the whole as a mere trifle ; and choose to date all the disturbances from the repeal of the Stamp Act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in 20 all their correspondence, state the disturbances as owing to their true causes, the discontent of the people, from the taxes. *words* You have this evidence in your own archives—and it will give you complete satisfaction ; if you are not so far lost to all parliamentary ideas of information, as rather to credit the 25 lie of the day, than the records of your own house.

Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow into another ; but they shall have no refuge ; I will make them bolt out of all their holes. Conscious that they must be baffled, when they 30 attribute a precedent disturbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern practice, and very wicked ; which is, to attribute the ill effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the 35 opposition made in parliament to the Stamp Act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume, from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a dean, and his earnest labours in this

vineyard will, I suppose, raise him to a bishoprick. But this assertion too, just like the rest, is false. In all the papers which have loaded your table; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the house; not 5 the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the Stamp Act, I sat as a stranger in your gallery when the Act was under consideration. Far from anything inflammatory, I never heard a more languid debate in this house. No more than 10 two or three gentlemen, as I remember, spoke against the Act, and that with great reserve and remarkable temper. There was but one division in the whole progress of the bill; and the minority did not reach to more than 39 or 40. In the house of lords I do not recollect that there was any 15 debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that in town they scarcely knew the nature of what you were doing. The opposition to the bill in England never could have done this mischief, because there scarcely ever was less 20 of opposition to a bill of consequence.

Sir, the agents and distributors of falsehoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change 25 in the ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our calumniators choose to qualify by the name of so feeble a ministry as succeeded. Feeble in one sense these men certainly may be called; for with all their efforts, and 30 they have made many, they have not been able to resist the distempered vigour and insane alacrity with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in America, that the letters of your governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all

directed to the old ministry, and particularly to the Earl of Halifax, the secretary of state corresponding with the colonies, without once in the smallest degree intimating the slightest suspicion of any ministerial revolution whatsoever. The 5 ministry was not changed in England until the 10th day of July, 1765. On the 14th of the preceding June, Governor Fauquier from Virginia writes thus; and writes thus to the Earl of Halifax: 'Government is set at defiance, not having strength enough in her hands to enforce obedience to the 10 laws of the community. The private distress, which every man feels, increases the general dissatisfaction at the duties laid by the Stamp Act, which breaks out, and shews itself upon every trifling occasion.' The general dissatisfaction had produced some time before, that is, on the 29th of May, 15 several strong public resolves against the Stamp Act; and those resolves are assigned by Governor Bernard, as the cause of the insurrections in Massachusetts Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax; and he continued to address such accounts to that minister quite 20 to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from other Governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known, or even apprehended.

25 Thus are blown away the insect race of courtly falsehoods! thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing, their importunate 30 buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the honourable gentleman who so stoutly challenges us, to tell, whether after the repeal the provinces were quiet? This is coming 35 home to the point. Here I meet him directly; and answer most readily, *They were quiet.* And I, in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade,

as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage ground on which I stand, and where I might leave the burthen of the proof upon him: I walk down into the open plain, and undertake to 5 shew, that they were not only quiet, but shewed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious colony of Massachusetts Bay, which at this time (but without hearing her) is so heavily a culprit before parliament—I 10 will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the administration of the lenitive <sup>sooth</sup> of the repeal no small acrimony arising from matters of a separate nature. Yet, see, Sir, the effect of that lenitive, <sup>15</sup> ~~meas~~ though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession. X

'If it is not in our power,' (say they in their address to Governor Bernard) 'in so full a manner as will be expected, to show our respectful gratitude to the mother country, or to make a dutiful and affectionate return to the indulgence of the king and parliament, it shall be no fault of ours; for this we intend, and hope we shall be able fully to effect.'

Would to God that this temper had been cultivated, 25 managed, and set in action! other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address, they say, 'The recommendation enjoined by Mr. Secretary Conway's 30 letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon.' They did consider; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon, but it was substantially obeyed; and much better obeyed, than 35 I fear the parliamentary requisition of this session will be, though enforced by all your rigour, and backed with all your power. In a word, the damages of popular fury were

compensated by legislative gravity. Almost every other part of America in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that 5 no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when a whole people are concerned, that acts of lenity 10 are not means of conciliation.

I hope the honourable gentleman has received a fair and full answer to his question.

I have done with the third period of your policy; that of your repeal; and the return of your ancient system, 15 and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham—a great and celebrated name; a name 20 that keeps the name of this country respectable in every other on the globe. It may be truly called—

Clarum et venerabile nomen  
Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited 25 rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind; and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I 30 am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me at that time to be governed 35 too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to

our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself; and for that reason, among others, perhaps fatal to his country; measures, the effects of which, I am afraid, are for ever incurable. He made an administration, so chequered 5 and speckled; he put together a piece of joinery, so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified Mosaic; such a tesselated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers, king's friends 10 and republicans; whigs and tories; treacherous friends and open enemies; that it was indeed a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, Sir, your name?—Sir, 15 you have the advantage of me—Mr. Such-a-one—I beg a thousand pardons—I venture to say, it did so happen that persons had a single office divided between them, who had never spoken to each other in their lives; until they found themselves, they knew not how, pigging together, heads and 20 points, in the same truckle-bed.

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the con- 25 duct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of 30 administration, he was no longer a minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as 35 if they acted a part under him, with a modesty that becomes all men, and with a confidence in him which was justified even in its extravagance by his superior abilities,

had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in 5 manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of 10 the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an Act, declaring it highly just and expedient to raise a 15 revenue in America. For even then, Sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

20 This light too is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament 25 of this house, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and (where his passions were not concerned) of a more refined, exquisite, and penetrating 30 judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far than any man I ever was acquainted with how to bring together within a short time all that was necessary to establish, to illustrate, and to 35 decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and

vulgar, nor subtle and abstruse. He hit the house just between wind and water. And not being troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required ; to whom he was 5 always in perfect unison. He conformed exactly to the temper of the house ; and he seemed to guide, because he was always sure to follow it.

I beg pardon, Sir, if, when I speak of this and of other great men, I appear to digress in saying something of their 10 characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an 15 invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form 20 themselves on whatever of excellence has gone before them. There are many young members in the house (such of late has been the rapid succession of public men) who never saw that prodigy Charles Townshend ; nor of course know what a ferment he was able to excite in everything by the violent 25 ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them ; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause ; to an ardent, generous, perhaps an immoderate passion for fame ; 30 a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared ; but he paid particular devotion to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is 35 impossible, Mr. Speaker, not to observe that this house has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public

collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the house abhors in the same degree with obstinacy. 5 Obstinacy, Sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness are closely allied to this disagreeable quality, of 10 which you have so just an abhorrence; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.

15 That fear of displeasing those who ought most to be pleased betrayed him sometimes into the other extreme. He had voted, and in the year 1765 had been an advocate, for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no 20 favourite in this house. He therefore attended at the private meeting, in which the resolutions moved by a right honourable gentleman were settled; resolutions leading to the repeal. The next day he voted for that repeal; and he would have spoken for it too, if an illness (not as was then 25 given out a political but to my knowledge, a very real illness) had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this house as the Stamp Act had been in the session before. 30 To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when 35 made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the king stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then chancellor of the exchequer, found himself in great straits. To please universally was the object of his life; but to tax and to please, no more than to love and to be wise, is not given to men. However, he attempted it. To render the tax palatable to the partizans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was external or port-duty; but again, to soften it to the other party, it was a duty of supply. To gratify the colonists, it was laid on British manufactures; to satisfy the merchants of Britain, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to 15 three-pence. But to secure the favour of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and 20 the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the house. He never thought, did, or said anything but with a view to you. He every day adapted himself to your disposition, and adjusted himself before it as at a looking-glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this house by one method alone. They were a race of men (I hope in 30 God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles; from any order or system in their politics; or from any sequel or connection in their ideas, what part they were going to take in 35 any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to

hear them ; each party gaped and looked alternately for their vote, almost to the end of their speeches. While the house hung in this uncertainty, now the *Hear-hims* rose from this side—now they rebellowed from the other ; and that 5 party, to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one to whom a single whiff of incense withheld gave much greater pain than he received delight in 10 the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours, and his great aim was to make those agree in admiration of him who never agreed in anything else.

15 Hence arose this unfortunate Act, the subject of this day's debate ; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

20 This Revenue Act of 1767 formed the fourth period of American policy. How we have fared since then—what woeful variety of schemes have been adopted ; what enforcing, and what repealing ; what bullying, and what submitting ; what doing, and undoing ; what straining, and what relaxing ; 25 what assemblies dissolved for not obeying, and called again without obedience ; what troops sent out to quell resistance, and on meeting that resistance, recalled ; what shiftings, and changings, and jumblings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so 30 much as a decent unity of colour in any one public measure— It is a tedious, irksome task. My duty may call me to open it some other time ; on a former occasion I tried your temper on a part of it ; for the present I shall forbear.

After all these changes and agitations, your immediate 35 situation upon the question on your paper is at length brought to this. You have an Act of parliament stating, that 'it is expedient to raise a revenue in America.' By a partial repeal you annihilated the greatest part of that revenue,

which this preamble declares to be so expedient. You have substituted no other in place of it. A secretary of state has disclaimed, in the king's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has been repealed. The 5 tax which lingers after its companions (under a preamble declaring an American revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the assurance authentically conveyed to the colonies; and is an exhaustless source of jealousy and animosity. On 10 this state, which I take to be a fair one; not being able to discern any grounds of honour, advantage, peace, or power, for adhering either to the Act or to the preamble, I shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure some- 15 thing to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further 20 but unreasonable claims,—why, then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace; with better effect; and with great probable concurrence of all the quiet and rational people in the provinces; who are now 25 united with, and hurried away by, the violent; having indeed different dispositions, but a common interest. If you apprehend that, on a concession, you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this: when you have recovered 30 your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire, as a rampart against the speculations of innovators on both sides of the question; and you will stand on great, manly, and sure 35 ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your ministers, in their own and his Majesty's name, have

already adopted the American distinction of internal and external duties. It is a distinction, whatever merit it may have, that was originally moved by the Americans themselves; and I think they will acquiesce in it, if they are not pushed 5 with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it when you please, to be not a distinction of geography, but of policy; that it is a power for regulating trade, and not for supporting establishments. The distinction, 10 which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. 15 The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your patience, prove fruitless to your interests.

20 For my part, I should choose (if I could have my wish) that the proposition of the honourable gentleman for the repeal, could go to America without the attendance of the penal bills. Alone, I could almost answer for its success. I cannot be certain of its reception in the bad company it may 25 keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocence. Though you should send out this angel of peace, yet you are sending out a destroying angel too; and what would be the effect of the conflict of these two adverse spirits, or which would predomi-

30 nate in the end, is what I dare not say; whether the lenient measures would cause American passion to subside, or the severe would increase its fury. All this is in the hand of Providence; yet now, even now, I should confide in the prevailing virtue and efficacious operation of lenity, though 35 working in darkness and in chaos, in the midst of all this unnatural and turbid combination. I should hope it might produce order and beauty in the end.

Let us, Sir, embrace some system or other before we end

this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out; name, fix, ascertain its revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob! If 5 you kill, take possession! and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

Again, and again, revert to your old principles—seek peace, 10 and ensue it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently 15 stood; and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind 20 America by laws of trade, you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools; 25 for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you 30 will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. No body will be argued into 35 slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty the Americans have, and what

one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least 5 share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is legal slavery will be no compensation, either to his feelings or his understanding.

10 A noble lord, who spoke some time ago, is full of the fire of ingenuous youth; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either house. He has said, that the Americans are our children, and how can they revolt 15 against their parent? He says that, if they are not free in their present state, England is not free; because Manchester, and other considerable places, are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They are 'our children'; 20 but when children ask for bread, we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinder our government, or any scheme of government, from being any more than a sort of approximation to the right. is it therefore that the colonies are to recede 25 from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty, are we to turn to them the shameful parts of our constitution? are we to give them our weakness for their strength, our opprobrium 30 for their glory; and the slough of slavery, which we are not able to work off, to serve them for their freedom?

If this be the case, ask yourselves this question: Will they be content in such a state of slavery? If not, look to the consequences. Reflect how you are to govern a people, 35 who think they ought to be free, and think they are not. Your scheme yields no revenue, it yields nothing but discontent, disorder, disobedience; and such is the state of America that, after wading up to your eyes in blood, you could only

end just where you begun ; that is, to tax where no revenue is to be found, to—my voice fails me ; my inclination indeed carries me no further—all is confusion beyond it.

Well, Sir, I have recovered a little, and before I sit down, I must say something to another point with which gentlemen 5 urge us. What is to become of the Declaratory Act, asserting the entireness of British legislative authority, if we abandon the practice of taxation ?

For my part I look upon the rights stated in that Act, exactly in the manner in which I viewed them on its very first 10 proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The Parliament of Great 15 Britain sits at the head of her extensive empire in two capacities; one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her imperial character ; in 20 which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate to each other, they ought all to be subordinate to her ; else they can neither preserve 25 mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce the negligent, to restrain the violent, and to aid the weak and deficient, by the over-ruling plenitude of her power. She is never to intrude into the place of the others, whilst 30 they are equal to the common ends of their institution. But in order to enable Parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of Parliament limited, may please themselves to talk of requisitions. 35 But suppose the requisitions are not obeyed ? What ! Shall there be no reserved power in the empire, to supply a deficiency which may weaken, divide, and dissipate the

whole? We are engaged in war—the secretary of state calls upon the colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and, easing themselves, let 5 the stress of the draft lie on the others—surely it is proper that some authority might legally say—Tax yourselves for the common supply, or parliament will do it for you. This backwardness was, as I am told, actually the case of Pennsylvania for some short time towards the beginning of the 10 last war, owing to some internal dissensions in the colony. But, whether the fact were so, or otherwise, the case is equally to be provided for by a competent foreign power. But then this ought to be no ordinary power, nor ever used in the first instance. This is what I meant, when I have 15 said at various times, that I consider the power of taxing in parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the constitution of the British empire, as distinguished from the constitution of Britain; 20 and, on these grounds, I think subordination and liberty may be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough surely for the ease and happiness of man.

Sir, whilst you held this happy course, we drew more 25 from the colonies than all the impotent violence of despotism ever could extort from them. We did this abundantly in the last war. It has never been once denied—and what reason have we to imagine that the colonies would not have proceeded in supplying government as liberally, if you had 30 not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course; by attempting to take, instead of being satisfied to receive? Sir William Temple says that Holland has loaded itself with ten times the impositions, 35 which it revolted from Spain, rather than submit to. He says true. Tyranny is a poor provider, it knows neither how to accumulate nor how to extract.

I charge, therefore, to this new and unfortunate system

the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for. It is morally certain that we have lost at least a million of free grants since the peace. I think we have lost a great deal more ; and that those, who look for revenue from the 5 provinces, never could have pursued, even in that light, a course more directly repugnant to their purposes.

Now, Sir, I trust I have shown, first on that narrow ground which the honourable gentleman measured, that you are likely to lose nothing by complying with the motion, 10 except what you have lost already. I have shown afterwards, that in time of peace you flourished in commerce, and when war required it, had sufficient aid from the colonies, while you pursued your ancient policy ; that you threw every thing into confusion when you made the Stamp Act ; and that you 15 restored every thing to peace and order when you repealed it. I have shown that the revival of the system of taxation has produced the very worst effects ; and that the partial repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be 20 denied, bring us back to our reason by the road of our experience.

I cannot, as I have said, answer for mixed measures ; but surely the mixture of lenity would give the whole a better chance of success. When you once gain confidence, the way 25 will be clear before you. Then you may enforce the Act of Navigation when it ought to be enforced. You will yourselves open it, where it ought still further to be opened. Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like statesmen. 30 Let us hold some sort of consistent conduct. It is agreed that a revenue is not to be had in America. If we lose the profit, let us get rid of the odium.

On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since 35 I sat, and before I sat, in parliament. The noble lord will, as usual, probably, attribute the part taken by me and my friends in this business, to a desire of getting his places.

Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit, and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to  
5 God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble lord, or as any other person ; and I know that the way I take is not the road to preferment. My excellent and hon. friend under me  
10 on the floor has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow ; because I know they lead to honour. Long may we tread the same road together,  
15 whoever may accompany us, or whoever may laugh at us on our journey ! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes on the firmest foun-  
20 dations a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

## SPEECH ON CONCILIATION WITH AMERICA

I HOPE, Sir, that notwithstanding the austerity of the chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined 5 to superstition. As I came into the house full of anxiety about the event of my motion, I found to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other house. I do confess, I could 10 not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour; by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to 15 have taken flight for ever, we are, at this very instant, nearly as free to choose a plan for our American government, as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture 20 of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness. 25

Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honour of a seat in

this house, the affairs of that continent pressed themselves upon us, as the most important and delicate object of parliamentary attention. My little share in this deliberation oppressed me. I found myself a partaker in a very high trust ; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in every thing which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British empire. / Some-  
thing of this sort seemed to be indispensable ; in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts ; to ballast my conduct ; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this house. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since without the least deviation in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, Parliament, having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former parliaments to all those alterations, one fact is undoubted ; that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper ; until, by a variety of experiments, that important country has been brought into her present situation ;—a situation which I will not miscall, which I dare not name ; which I

scarcely know how to comprehend in the terms of any description.

In this posture, Sir, things stood at the beginning of the session. About that time, a worthy member of great experience, who in the year 1766 filled the chair of the American 5 committee with much ability, took me aside ; and, lamenting the present aspect of our politics, told me, things were come to such a pass, that our former methods of proceeding in the house would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) 10 would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing 15 could satisfy ; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries : we must produce our hand. It would be expected that those, who for many years 20 had been active in such affairs, should shew that they had formed some clear and decided idea of the principle of colony government ; and were capable of drawing out something like a platform of the ground, which might be laid for future and permanent tranquillity.

25

I felt the truth of what my honourable friend represented, but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified for such an undertaking than myself. Though I 30 gave so far into his opinion, that I immediately threw my thoughts into a sort of Parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government, 35 except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception ; and for

my part, I am not ambitious of ridicule, not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government, nor 5 of any polities, in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our colonies, I confess my caution gave way. I felt this, as one of those 10 few moments in which decorum yields to an higher duty. Public calamity is a mighty leveller, and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so 15 distracted as ours, is, merely in the attempt, an undertaking that would ennable the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I 20 felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are, by what you ought to 25 be, I persuaded myself that you would not reject a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous, if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You 30 will see it just as it is; and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to rise out of 35 universal discord, fomented from principle in all parts of the empire; not peace to depend on the juridical determination of perplexing questions; or the precise marking the shadowy boundaries of a complex government. It is simple peace;

sought in its natural course, and its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to give permanent 5 satisfaction to your people ; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been 10 the parent of confusion ; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and 15 cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the 20 project which has been lately laid upon your table by the noble lord in the blue riband. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent 25 auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments, beyond all the powers of algebra to equalize and settle.

The plan, which I shall presume to suggest, derives, however, ~~one~~ great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the house, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the 35 menacing front of our address, notwithstanding our heavy bill of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty.

The house has gone farther ; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting 5 the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it ; something unwise, or something grievous ; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration ; and, in order to 10 get rid of what seemed so very exceptionable, have instituted a mode that is altogether new ; one that is, indeed, wholly alien from all the ancient methods and forms of parliament.

The principle of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying 15 his ideas into execution, I think indeed, are very indifferently suited to the end ; and this I shall endeavour to shew you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation ; and where there has been a material dispute, 20 reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming, that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert 25 itself. The superior power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior ; and he 30 loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide, are these two. First, whether you ought to concede ; 35 and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed,

Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because, after all our struggle, whether 5 we will or not, we must govern America, according to that nature, and to those circumstances ; and not according to our own imaginations ; not according to abstract ideas of right ; by no means according to mere general theories of government, the resort to which appears to me, in our present 10 situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the 15 nature of the object is—the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of the inhabitants of our own European blood and colour ; besides at least 500,000 20 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a 25 matter of little moment. Such is the strength with which population shoots in that part of the world that, state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our 30 time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation ; because, Sir, this consideration will make it evident to a blunter discernment

than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you, that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove, that some degree of care and caution is required in handling such an object; it will show that you ought not, 10 in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing 15 population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with 20 great ability, by a distinguished person, at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than that to the fire 25 of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

30 Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the house had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. 35 There is, if I mistake not, a point of view, from whence if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts; one a comparative state

of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in 5 the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information. 10

The export trade to the colonies consists of three great branches. The African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian; and the North American. All these are so interwoven, that the attempt to separate them, would 15 tear to pieces the contexture of the whole; and if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at 20 the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America, and the West Indies	£483,265	
To Africa . . . . .	86,665	
	<hr/>	
	£569,930	25

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:

To North America, and the West Indies . . . . .	£4,791,734	
To Africa . . . . .	866,398	30
To which if you add the export trade from		
Scotland, which had in 1704 no existence	364,000	
	<hr/>	
	6,022,132	

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is 35 the state of the colony trade as compared with itself at these

two periods, within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared 5 to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704 . . . .	£6,509,000
Export to the colonies alone, in 1772 . . . .	6,022,000
Difference . . . .	487,000

10 The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it 15 will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented; and augmented more or less in 20 almost every part to which it ever extended; but with this material difference; that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one twelfth part; it is now (as a part of sixteen millions) considerably more 25 than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods; and all reasoning concerning our mode of treating them must have this proportion as its basis; or it is a reasoning weak, rotten, and sophistical.

30 Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect 35 that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory

might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit potuit cognoscere virtus.* Suppose, Sir, that 5 the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision, that, when, in the fourth generation, the third prince of the house of Brunswick had sat twelve years on the throne of 10 that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of peerage, whilst he enriched the family with a 15 new one—If, amidst these bright and happy scenes of domestic honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of England, the Genius should point out to him a 20 little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—‘Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you 25 taste of death, shew itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series 30 of seventeen hundred years, you shall see as much added to her by America in the course of a single life!’ If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he 35 has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect and cloud the setting of his day!

Excuse me, Sir, if turning from such thoughts I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province 5 of Pennsylvania. In the year 1704 that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all 10 the colonies together in the first period.

I choose, Sir, to enter into these minute and particular details; because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, 15 fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many 20 enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of natural industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed—but I must prescribe bounds to myself in a matter 25 so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, 30 has some years ago exceeded a million in value. Of their last harvest, I am persuaded, they will export much more. At the beginning of the century, some of these colonies imported corn from the mother country. For some time past, the old world has been fed from the new. The scarcity 35 which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy ; and yet the spirit, by which that enterprising employment has been exercised, 5 ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it ? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them amongst the tumbling 10 mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay, and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen 15 serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both 20 the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perse- 25 verance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people ; a people who are still, as it were, but in the gristle, and not yet 30 hardened into the bone of manhood. When I contemplate these things ; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and 35 salutary neglect, a generous nature has been suffered to take her own way to perfection ; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the

pride of power sink, and all presumption in the wisdom of human contrivances melt, and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, Sir, that all which I have asserted in my detail, is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice 10 of means by their complexions and their habit. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much 15 more in favour of prudent management, than of force; considering force not as an odious, but a feeble instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

20 First, Sir, permit me to observe that the use of force alone is but temporary. It may subdue for a moment; but it does not remove the necessity of subduing again; and a nation is not governed, which is perpetually to be conquered.

My next objection is its uncertainty. Terror is not always 25 the effect of force; and an armament is not a victory. If you do not succeed, you are without resource; for conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms, 30 by an impoverished and defeated violence.

A further objection to force is, that you impair the object by your very endeavours to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less 35 will content me than whole America. I do not choose to consume its strength along with our own; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this

exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

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Lastly, we have no sort of experience in favour of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our 10 fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to 15 be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce—I mean its temper and character.

20

In this character of the Americans, a love of freedom is the predominating feature, which marks and distinguishes the whole: and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest them by force, 25 or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth; and this from a great variety of powerful causes; which, to understand the true temper of 30 their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated 35 from you, when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore

not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed 5 to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths 10 turned primarily on the right of the election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been 15 exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point 20 of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called an House of Commons. They went much further; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a 25 House of Commons, as an immediate representative of the people; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that, in all monarchies, the people must in effect themselves meditately or immediately possess the power of 30 granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty 35 other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments

to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as 5 well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in a high degree; some are merely popular; in all, the popular representative is the most weighty; and 10 this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of 15 the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind, 20 which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government is so much to be sought 25 in their religious tenets as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them; and received great favour and every kind of support from authority. The 30 Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world; and could justify that opposition only on a strong claim to natural liberty. Their 35 very existence depended on the powerful and unremitting assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most

prevalent in our northern colonies in a refinement on the principle of resistance; it is the dissidence of dissent; and the Protestantism of the Protestant religion. This religion, under a variety of denominations, agreeing in nothing but in 5 the communion of the spirit of liberty, is predominant in most of the northern provinces; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England 10 when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with 15 them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description; because in the southern colonies the Church of England forms a large body, 20 and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the 25 Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not feeling there that freedom, as 30 in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of 35 this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit,

attached to liberty than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with 5 the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our colonies, which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general 10 a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent 15 bookseller that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commen- 20 taries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts 25 of one of your capital penal constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend on the floor, 30 who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and 35 broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence,

full of resources. In other countries, the people, more simple and of less mercurial cast, judge of an ill principle in government only by an actual grievance ; here they anticipate the evil, and judge of the pressure of the grievance by the 5 badness of the principle. They augur misgovernment at a distance ; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, 10 but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution ; and the want of a speedy 15 explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, 20 'So far shalt thou go, and no farther.' Who are you that you should fret and rage, and bite the chains of nature ?—Nothing worse happens to you, than does to all nations who have extensive empire ; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation 25 of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Kurdistan, as he governs Thrace ; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. 30 The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. 35 She complies too, she submits, she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, Sir, from these six capital sources ; of descent, of

form of government, of religion in the northern provinces, of manners in the southern, of education, of the remoteness of situation from the first mover of government, from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and 5 increased with the increase of their wealth; a spirit, that unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame, that is ready to consume us.

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I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless 15 authority. Perhaps we might wish the colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority), than with any part of it in their own hands. But the question is not, whether their spirit deserves praise or 20 blame; but what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations, we are strongly urged 25 to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more 30 untractable form. For, what astonishing and incredible things have we not seen already? What monsters have not been generated from this unnatural contention? Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so 35 solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the

popular part of the colony constitution derived all its activity, and its first vital movement from the pleasure of the crown. We thought, Sir, that the utmost which the colonists could do, was to disturb authority; we never dreamt they could of 5 themselves supply it; knowing in general what an operose business it is, to establish a government absolutely new. But having, for our purposes in this contention, resolved that none but an obedient assembly should sit, the humours of the people there, finding all passage through the legal 10 channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. 15 Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. 20 Obedience is what makes government, and not the names by which it is called; not the name of Governor as formerly, or Committee as at present. This new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. 25 It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this, that the colonists having once found the possibility of enjoying the advantages of order, in the midst of a struggle for liberty, such struggles will not henceforward 30 seem so terrible to the settled and sober part of mankind, as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were 35 confident, that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected state of things appeared. Anarchy is found tolerable. A vast

province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard of situation, how 5 can the wisest of us conjecture? Our late experience has taught us, that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important, and far more powerful principles, 10 which entirely overrule those we had considered as omnipotent. I am much against any further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, 15 and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we 20 are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable 30 of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies, and disturbs your government. These are, to change that spirit as inconvenient, by removing the causes; 35 to prosecute it as criminal; or to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started,

that of giving up the colonies ; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children ; who, when they cannot get 5 all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle ; but it is attended with great difficulties, some of them little short, as I conceive, 10 of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the colonies is evidently one cause of their resistance, it was last session mentioned in both houses by men of weight, and received not without applause, 15 that, in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the crown not only 20 withheld its grants but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming 25 mischief of population.

But, if you stopped your grants, what would be the consequence ? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the 30 people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Apalachian mountains. From thence they behold before 35 them an immense plain, one vast, rich, level meadow : a square of five hundred miles. Over this they would wander, without a possibility of restraint ; they would change their manners with the habits of their life ; would soon forget a

government by which they were disowned ; would become hordes of English Tartars ; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become master of your governors and your counsellors, your collectors and comptrollers, and of all the slaves that adhered to them. 5 Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, 'Increase and multiply.' Such would be the happy result of an endeavour to keep as a lair of wild beasts that earth which God, by 10 an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him 15 piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts ; that the ruling power should never be wholly out of sight. We have settled all we could, and we have carefully attended every settlement with government. 20

Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be 25 a more easy task, I freely confess it. We have shown a disposition to a system of this kind—a disposition even to continue the restraint after the offence ; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may 30 certainly do. The power, inadequate to all other things, is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But, when I consider that we have colonies for 35 no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing

more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But, remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course ; that discontent will increase with misery, and that there are critical moments in the fortune of all states, when they, who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

10 The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they 15 would hear you tell them this tale, would detect the imposition ; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their 20 republican religion as their free descent, or to substitute the Roman Catholic as a penalty, or the church of England as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world, and I should not confide much to their efficacy in the new. The education of the

25 Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science ; to banish their lawyers from their courts of law ; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges.

30 It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us, not quite so effectual, and, perhaps, in the end, full as difficult to be kept in obédience.

35 With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists ; yet I

could never argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves ; and 5 in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom ? A measure to which other people have had recourse more 10 than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them 15 to their present masters ? From that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic ? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of 20 Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. 25 The ocean remains. You cannot pump this dry ; and as long as it continues in its present bed so long all the causes which weaken authority by distance will continue. ‘Ye gods, annihilate but space and time, and make two lovers happy !’ —was a pious and passionate prayer ; but just as reasonable 30 as many of the serious wishes of very grave and solemn politicians.

If then, Sir, it seems almost desperate to think of any alternative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices 35 irreconcilable to the late exercise of our authority ; but that the spirit infallibly will continue, and continuing will produce such effects as now embarrass us ; the second mode

under consideration is, to prosecute that spirit in its overt acts as criminal.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men this is not judicious; for sober men not decent; for minds tinctured with humanity not mild and merciful.

Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this, that an empire is the aggregate of many states under one common head; whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often too very bitter disputes, and much ill blood will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex iure termini*, to imply a superior power. For to talk of the

privileges of a state or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels, among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the 5 empire to insist that, if any privilege is pleaded against his will or his acts, that his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their 10 part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

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We are indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, 20 assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least as often decided against the superior as the 25 subordinate power. Sir, let me add too, that the opinion of my having some abstract right to my favour would not put me much at my ease in passing sentence; unless I could be sure, that there were no rights which in their exercise under certain circumstances, were not the most odious of all 30 wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me, whilst I sit as criminal judge, on acts of his, 35 whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but

✓ justice is the same, let the judge be in what situation he will.

There is, Sir, also a circumstance which convinces me, that this mode of criminal proceeding is not (at least in the 5 present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither under an act of Henry the Eighth, 10 for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address; but modes of public coercion have been adopted, and such as have much 15 more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shews how difficult it is to apply these juridical ideas to our present case.

20 In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made 25 towards our object, by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan 30 itself is not correctly right.

If, then, the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient, 35 what way yet remains? No way is open but the third and last—to comply with the American spirit, as necessary; or, if you please, to submit to it, as a necessary evil.

If we adopt this mode; if we mean to conciliate and

concede ; let us see of what nature the concession ought to be. To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a parliament, in which they 5 are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask ; not what you may think better for them, but of a kind totally different. Such an act may be a wise 10 regulation, but it is no concession ; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true : 15 I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the 20 question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government ; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a 25 right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other ; where reason is perplexed ; and an appeal to authorities only thickens the confusion. For 30 high and reverend authorities lift up their heads on both sides ; and there is no sure footing in the middle. This point is the 'great Serbonian bog, betwixt Damiata and Mount Casius old, where armies whole have sunk.' I do not intend to be overwhelmed in that bog, though in 35 such respectable company. ~~The question with me is, not whether you have a right to render your people miserable ; but whether it is not your interest to make them happy.~~ It 

✓ is not, what a lawyer tells me, I *may* do; but what humanity, reason, and justice tell me, I *ought* to do.] Is a politic act the worse for being a generous one? Is no concession proper, but that which is made from your want 5 of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signifies all those titles and all those arms? Of what 10 avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?

Such is steadfastly my opinion of the absolute necessity 15 of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude, that they had solemnly abjured all the rights of citizens, that they had made a vow to renounce all 20 ideas of liberty for them and their posterity to all generations, yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law, 25 I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield 30 as matter of right, or grant as matter of favour, is to admit the people of our colonies into an interest in the constitution; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean for ever to adhere to that 35 solemn declaration of systematic indulgence.

Some years ago, the repeal of a Revenue Act, upon its understood principle, might have served to shew, that we intended an unconditional abatement of the exercise of a

taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our 5 own future proceedings.

I have taken a very incorrect measure of the disposition of the house, if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute, we are too exquisite 10 in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess, that they hope no good from taxation; but they apprehend the colonists have further views and, if this point were conceded, they 15 would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning; and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman of real moderation, and of a 20 natural temper well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same 25 mouths, and on the same day.

For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord in the blue riband shall tell you that the restraints in trade are futile and useless, of no advantage to us, and of 30 no burthen to those on whom they are imposed, that the trade of America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the Trade Laws in this posture of the 35 debate. But when strong internal circumstances are urged against the taxes, when the scheme is dissected, when experience and the nature of things are brought to prove, and

do prove, the utter impossibility of obtaining an effective revenue from the colonies ; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme ; 5 then, Sir, the sleeping Trade Laws revive from their trance ; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the Laws of Trade.

Then, Sir, you keep up Revenue Laws which are mischievous, 10 in order to preserve Trade Laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have 15 borrowed these ideas, concerning the inutility of the Trade Laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us ; and in former times, they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my 20 perfect conviction of this does not help me in the least to discern how the Revenue Laws form any security whatsoever to the commercial regulations ; or that the commercial regulations are the true ground of the quarrel ; or that the giving way, in any one instance of authority, is to lose all that may 25 remain unconceded.

One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions ; but certainly the least bitter, and the fewest of all, on the Trade 30 Laws. To judge which of the two is the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation. There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the Trade Laws be the 35 real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or

whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration whether it be prudent to form a rule 5 for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger by their misconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas! alas! when will 10 this speculating against fact and reason end?—What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything 15 peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim that, the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

20 All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

25 In forming a plan for this purpose, I endeavoured to put myself in that frame of mind, which was the most natural, and the most reasonable; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities; a total renunciation 30 of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, 35 and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils,

it was common for their statesmen to say that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs shewed that they had not chosen the most 5 perfect standard. But, Sir, I am sure that I shall not be misled, when in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me: those of Ireland, 10 Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament itself was at that time modelled according to the present form is disputed amongst anti- 15 quarians. But we have all the reason in the world to be assured that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was trans- 20 mitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least an House of Commons 25 of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to all Ireland. Mark the consequence. [English authority 30 and English liberty had exactly the same boundaries.] Your standard could never be advanced an inch before your privileges. Sir John Davies shews, beyond a doubt, that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; 35 and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered that nothing could make that country English, in civility and allegiance, but your laws and your forms of

legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time, Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you restored them; you altered the succession to theirs as well as to your own crown; but you never altered their constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and 10 established, I trust for ever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is: and from a disgrace and burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever 15 formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your 20 own liberties could stand a moment if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish 25 pensioners would starve, if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come; and learn to respect that only source of public wealth in the British empire.

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My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was 35 destroyed, and no good one was substituted in its place. The care of that tract was put into the hands of Lords Marchers—a form of government of a very singular kind; a

strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of Commander in chief at present, to whom all civil power is granted as 5 secondary. The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive, savage and uncultivated; sometimes composed, never pacified. Wales within itself was in perpetual disorder, and it kept the frontier of England in perpetual alarm. Benefits from it to 10 the state there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the 15 sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. 20 They made an Act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another Act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made Acts to restrain trade, as 25 you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute-book was not so much swelled as it is now, you find no less than fifteen Acts of penal regulation on the subject 30 of Wales.

Here we rub our hands. A fine body of precedents for the authority of parliament and the use of it! I admit it fully; and pray add likewise to these precedents, that, all the while, Wales rid this kingdom like an 35 incubus; that it was an unprofitable and oppressive burthen; and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered, that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did however at length open their eyes to the ill husbandry of injustice. They found 5 that the tyranny of a free people could of all tyrannies the least be endured ; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII. the course was entirely altered. With a preamble, stating the 10 entire and perfect rights of the Crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established, the military power gave way to the civil, the Marches were turned into Counties. But that a nation should have a right to English liberties, and 15 yet no share at all in the fundamental security of these liberties, the grant of their own property, seemed a thing so incongruous, that, eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales, by Act 20 of parliament. From that moment, as by a charm, the tumult subsided ; obedience was restored ; peace, order, and civilization followed in the train of liberty. When the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

25

*Simul alba nautis  
 Stella refusit,  
 Defluit saxis agitatus humor,  
 Concidunt venti, fugiuntque nubes,  
 Et minax (quod sic voluere) ponto  
 Unda recumbit.*

30

The very same year the County Palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less dis-tempered than Wales. The inhabitants, without rights 35 themselves, were the fittest to destroy the rights of others ; and from thence Richard II. drew the standing army of archers, with which for a time he oppressed England.

The people of Chester applied to parliament in a petition penned as I shall read to you :

The inhabitants of the County-palatine of Chester being unrepre-  
sented in Parliament, and having 'oftentimes been touched and grieved'  
5 with its Acts and Statutes, pray for representation.

What did parliament with this audacious address ? Reject it as a libel ? Treat it as an affront to government ? Spurn it as a derogation from the rights of legislature ? Did they toss it over the table ? Did they burn it by the hands of the  
10 common hangman ? They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint ; they made it the very preamble to their Act of redress ; and consecrated its principle to all ages in the sanctuary of  
15 legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom and not servitude is the cure of anarchy ; as religion, and not atheism, is the true  
20 remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the County Palatine of Durham, which is my fourth example. This County had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that  
25 the style of the preamble is nearly the same with that of the Chester Act ; and, without affecting the abstract extent of the authority of parliament, it recognises the equity of not suffering any considerable district in which the British subjects may act as a body, to be taxed without their own voice in  
30 the grant.

Now if the doctrines of policy contained in these preambles, and the force of these examples in the Acts of parliament, avail anything, what can be said against applying them with regard to America ? Are not the people of America as much  
35 Englishmen as the Welsh ? The preamble of the Act of Henry VIII. says, the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous ? If we may trust the learned

and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000 ; not a tenth part of the number in the colonies. Is America in rebellion ? Wales was hardly ever free from it. Have 5 you attempted to govern America by penal statutes ? You made fifteen for Wales. But your legislative authority is perfect with regard to America ; was it less perfect in Wales, Chester, and Durham ? But America is virtually represented. What ! does the electric force of virtual representation more 10 easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood ; or than Chester and Durham, surrounded by abundance of representation that is actual and palpable ? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient 15 for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote ?

You will now, Sir, perhaps imagine, that I am on the 20 point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought, but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing in that mode, I do not 25 know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it ; and those who have been more confident, have not been more successful. However, the arm of public benevolence is not shortened ; and there 30 are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how ? Where ? What substitute ? 35

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile

framers of imaginary commonwealths; not to the Republic of Plato, not to the Utopia of More, not to the Oceana of Harrington. It is before me—it is at my feet, 'and the rude swain treads daily on it with his clouted shoon.' I only wish  
5 you to recognise, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in Acts of parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you as best; and in which you  
10 walked with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity and justice of a taxation of America, by grant and not by imposition. To mark the legal competency of the colony  
15 assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a dutiful and beneficial exercise; and that experience has shown the benefit of their grants, and the futility of parliamentary taxation as a method of supply.

20 These solid truths compose six fundamental propositions. There are three more Resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive  
25 pillars will be of strength sufficient to support the temple of British concord. I have no more doubt, than I entertain of my existence, that if you admitted these you would command an immediate peace; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in  
30 this confident assurance. The propositions are all mere matters of fact; and, if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you, together with  
35 such observations on the Motions as may tend to illustrate them where they may want explanation. The first is a Resolution—

'That the colonies have not been represented in Parliament.

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution ; it is taken nearly *verbatim* from Acts of parliament.

The second is like unto the first—

5

‘That they have been touched and grieved by several taxes imposed by Parliament.’

Is this description too hot, or too cold, too strong, or too weak ? Does it arrogate too much to the supreme legislature ? Does it lean too much to the claims of the people ? If it 10 runs into any of these errors the fault is not mine. It is the language of your own ancient Acts of parliament. *Non meus hic sermo, sed quæ præcepit Qfellus, rusticus, abnormis sapiens.* It is the genuine produce of the ancient, rustic, manly, homebred sense of this country. I did not dare to 15 rub off a particle of that venerable rust that rather adorns and preserves, than destroys the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly con- 20 stitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our fore-fathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not be wise beyond 25 what was written ; I was resolved to use nothing else than the form of sound words ; to let others abound in their own sense, and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be 30 not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this second Resolution, which those who are resolved always to be in the right, will deny to contain matter of fact, as applied to the present case ; although parliament thought them true, 35 with regard to the counties of Chester and Durham. They will deny that the Americans were ever ‘touched and

grieved' with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence in this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in 5 their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without 10 offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched 15 and grieved, even by the regulating duties of the sixth of George II.? Else why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. 20 Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which, Lord Hillsborough tells you (for the ministry), were laid contrary to the true principle of commerce? Is not the assurance, given by that noble person to the colonies of a resolution to lay no more 25 taxes on them, an admission that taxes would touch and grieve them? Is not the Resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, 30 repeals, assurances, and Resolutions?

The next proposition is—

That, owing to their distance from England, no method for securing the representation of the colonies in parliament has hitherto been devised.

35 This is an assertion of a fact. I go no further on the paper; though, in my private judgment, an useful representation is impossible; I am sure it is not desired by them, nor ought it perhaps by us; but I abstain from opinions.

The fourth Resolution is—

‘That in each colony there is an assembly with power to raise taxes in that colony.’

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the 5 assemblies, in which the constant style of granting is, ‘an aid to his Majesty’; and Acts granting to the Crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament 10 can grant to the Crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the Crown. I say, that if the Crown could be responsible, his 15 Majesty—but certainly the ministers, and even these law officers themselves, through whose hands the Acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all Presidents of the Council, 20 all Secretaries of State, all first lords of trade, all Attorneys and all Solicitors General! However, they are safe, as no one impeaches them, and there is no ground of charge against them, except in their own unfounded theories.

The fifth Resolution is also a resolution of fact—

25

‘That these assemblies have often granted taxes to the Crown.’

To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710; I shall begin to travel only 30 where the Journals give me light, resolving to deal in nothing but fact, authenticated by parliamentary record; and to build myself wholly on that solid basis.

On the 4th of April, 1748, a committee of this house came to the following Resolution :

35

‘Resolved,

‘That it is the opinion of this committee, that it is just and reasonable that the several provinces and colonies of Massachusetts

Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expences they have been at in taking and securing to the crown of Great Britain the island of Cape Breton, and its dependencies.'

These expenses were immense for such colonies. They 5 were above £200,000 sterling, money first raised and advanced on their public credit.

[So various times during the Seven Years' War. (1756-1763.)]

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This 10 nation has formally acknowledged two things; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is 15 expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprobation. My Resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give 20 you nothing but your own; and you cannot refuse in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been 25 engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand, 30 when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this house, that the colonies were then in debt two million six hundred thousand pounds sterling money; and was of opinion they would discharge that debt in four years. On 35 this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mis-

taken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after; and at different times in different colonies. However, the taxes, after the war, continued too great to bear any addition, with prudence or propriety, and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it. 10

We see the sense of the Crown, and the sense of parliament, on the productive nature of a revenue by grant. Now search the same Journals for the produce of the revenue by imposition—Where is it?—let us know the volume and the page—what is the gross, what is the nett produce?—to what service is it applied?—how have you appropriated its surplus? What, can none of the many skilful index-makers, that we are now employing, find any trace of it? Well, let them and that rest together. But are the Journals, which say nothing of the revenue, as silent on the discontent? Oh no! a child 20 may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those Journals, justified in the sixth and last Resolution, which is:—

‘That free grants from the colonies are both less burdensome to them, 25 and more fruitful to Great Britain, than taxation by parliament.’

This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected 30 the duty.

The question now, on all this accumulated matter, is:—whether you will choose to abide by a profitable experience,

or a mischievous theory; whether you choose to build on imagination or fact; whether you prefer enjoyment or hope; satisfaction in your subjects, or discontent.

If these propositions are accepted, everything which has 5 been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following Resolution, which, when it comes to be moved, will naturally be divided in a proper manner:

10 'That the Tea-tax, the Boston Port Act, the Massachusetts Charter Act, and the Act for trying those accused of illegality in executing the orders of the Executive, be repealed, and the Act for trying treasons committed out of the realm be amended.'

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the 15 rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. 20 Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with 25 the punishment already partially inflicted.

Ideas of prudence, and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts colony, though the crown has far less power in the 30 two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the Act 35 which changes the charter of Massachusetts is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it: as several of its provisions tend to the subversion of all public and

private justice. Such, among others, is the power in the Governor to change the sheriff at his pleasure; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

5

The Act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That Act has calculated the probable duration of our quarrel with the colonies; and is accommodated to that supposed duration. I would hasten the happy moment 10 of reconciliation; and therefore must, on my principle, get rid of that most justly obnoxious Act.

The Act of Henry the Eighth, for the trial of treasons, I do not mean to take away, but to confine to its proper bounds and original intention; to make it expressly for 15 trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the Crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed 20 judicature; for which purpose, Sir, I propose the following Resolution:

‘That, from the time when the assembly of any colony shall have appointed fixed salaries for its Judges, they shall hold office during good behaviour, and be removable only by the King in Councill at the 25 request of either or both houses of the assembly or of the Governor.’

The next Resolution relates to the courts of admiralty.

It is this:—

‘That it may be proper to regulate the courts of admiralty, or vice-admiralty, authorised by the 15th chapter of the 4th of George the 30 Third.’

Those courts I do not wish to take away; they are in themselves proper establishments. This court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased; but this is alto- 35 gether as proper, and is, indeed, on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in

effect, deny justice ; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance.

These are the three consequential propositions. I have 5 thought of two or three more ; but they come rather too near detail, and to the province of executive government, which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed 10 will be, I hope, rather unseemly incumbrances on the building, than very materially detrimental to its strength and stability.

Here, Sir, I should close ; but that I plainly perceive some objections remain, which I ought, if possible, to 15 remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester Act, I prove too much ; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation ; and that the 20 colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer that 25 the words are the words of parliament, and not mine ; and that all false and inconclusive inferences drawn from them are not mine ; for I heartily disclaim any such inference. I have chosen the words of an Act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious 30 advocate for the sovereignty of parliament, formerly moved to have read at your table, in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. 35 Ought I not from hence to presume that these preambles are as favourable as possible to both, when properly understood : favourable both to the rights of parliament and to the privilege of the dependencies of this Crown ? But, Sir,

the object of grievance in my Resolution, I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies; and which, therefore, falls in exactly with the case of the colonies. But whether the unrepresented counties 5 were *de jure* or *de facto* bound, the preambles do not accurately distinguish; nor indeed was it necessary; for, whether *de jure* or *de facto*, the legislature thought the exercise of the power of taxing as of right, or as of fact without right, equally a grievance and equally oppressive. 10

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their 15 expressions in a state of disturbance and irritation. It is besides a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishman stop very short of the 20 principles upon which we support any given part of our constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human 25 benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we reinit some rights, that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away 30 some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the 35 immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear to pay for it

all essential rights and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But, although there are some amongst us who think our constitution wants 5 many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country, and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose as well as 10 what we are to gain, and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are the cords of man. → Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great 15 master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the 20 grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature; when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces; and I confess, I feel not the least alarm, from the discontents which are to arise, from putting people at their ease; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, two millions of my fellow citizens, 30 some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire; which was preserved entire, although Wales, and Chester, 35 and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes

this notion of simple and undivided unity. England is the head, but she is not the head and the members too. Ireland has ever had from the beginning a separate but not an independent legislature; which, far from distracting, promoted the union of the whole. Everything was sweetly 5 and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as 10 far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example during those periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods. 15

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received, and stands on your Journals. I must be deeply concerned, whenever it is my misfortune to 20 continue a difference with the majority of this house. But, as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the ques- 25 tion was before the committee.

First, then, I cannot admit that proposition of a ransom by auction;—because it is a mere project. It is a thing new, unheard of, supported by no experience, justified by no analogy, without example of our ancestors, or root in the 30 constitution. It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this empire. 35

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the ante-chamber of the noble

lord and his successors? To settle the quotas and proportions in this house, is clearly impossible. You, Sir, may flatter yourself, you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as 5 it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical 10 notion. This new taxation must therefore come in by the backdoor of the constitution. Each quota must be brought to this house ready formed; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate, either before or after 15 the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by what other name it will delight to be called, must swallow up all the 20 time of parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the 25 very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon, it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties which 30 furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be laid. You know too that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither 35 leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be

*universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled ? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion ; consider, I implore 5 you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion, that never can have 10 an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion ? The refractory colonies, who refuse all com- 15 position, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed ; the refractory remain unburthened. What will you do ? Will you lay new and heavier taxes by parliament on 20 the disobedient ? Pray consider in what way you can do it. You are perfectly convinced that in the way of taxing you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are 25 taxed to your quota ; how will you put these colonies on a par ? Will you tax the tobacco of Virginia ? If you do, you give its death wound to our English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, 30 what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed colony ? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it ? Who has presented, who can present you, with a clue, to lead you out 35 of it ? I think, Sir, it is impossible, that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the Bill

for prohibiting the New-England fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom upon every principle you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central, and most important, of them all.

10 Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling; and then you have no effectual revenue: or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

15 Reflect besides that, when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston Port Bills, new restraining laws, new Acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must 25 consume this whole empire. I allow indeed that the Empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the Empire, and the army of the Empire, is the worst revenue, and the worst army, in the world.

30 Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies, than for establishing a revenue.

35 He confessed, he apprehended that his proposal would not be to their taste. I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation

by an airy phantom which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

5

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild ; that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain colonies only. This 10 is immediate in its conciliatory operation ; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people ; gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long dis- 15 course ; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom ! For my part I feel my mind greatly disburthened by what I have done to-day. 20 I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of 25 this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money ? your plan gives us no revenue. No ! but it does ; 30 for it secures to the subject the power of refusal—the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of 35 man. It does not indeed vote you £152,750 11s. 2 $\frac{3}{4}$ d., nor any other paltry limited sum ; but it gives the strong box itself, the fund, the bank, from whence only revenues

can arise amongst a people sensible of freedom ; *posita luditur arca*. Cannot you in England, cannot you at this time of day, cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a 5 debt of near 140 millions in this country ? Is this principle to be true in England, and false every where else ? Is it not true in Ireland ? Has it not hitherto been true in the colonies ? Why should you presume that in any country a body, duly constituted for any function, will neglect to perform its duty, 10 and abdicate its trust ? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly has no foundation in nature. For first observe that, besides the desire which all men have naturally of supporting the 15 honour of their own government, that sense of dignity and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has 20 not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the political 25 machinery in the world.

Next, we know that parties must ever exist in a free country. We know, too, that the emulation of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him 30 that holds the balance of the state. The parties are the gamesters ; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it more to be feared that the people will be exhausted, than that government will not be supplied. 35 Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. ' Ease would retract vows made in pain, as violent and void.'

I, for one, protest against compounding our demands: I declare against compounding, for a poor limited sum, the immense, ever growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not 5 only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from 10 America transmitted hither—do not delude yourselves—you never can receive it—no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in 15 imposition; what can you expect from North America? for certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects, on which 20 you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I 25 doubt not she will, contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There 30 she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar 35 privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated

with your government; they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing, and their privileges 5 another; that these two things may exist without any mutual relation; the cement is gone, the cohesion is loosened, and every thing hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple con- 10 secrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have 15 anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price of which you have 20 the monopoly. This is the true Act of Navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of 25 the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your 30 suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the 35 spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies, every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England? Do you imagine then that it is the Land Tax Act which raises your revenue? that it is the annual vote in the committee of supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would 10 be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people 15 who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the 20 opinion of such men as I have mentioned, have no substantial existence, are in truth every thing and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to 25 fill our place as becomes our station and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the 30 dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honourable conquests; not by destroying, but by promoting, the wealth, the number, the happiness, of the human race. Let us get an American 35 revenue as we have got an American empire. English privileges have made it all that it is: English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) lay the first stone of the temple of peace ; and I move you,

5 'That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.'

## NOTES

### SPEECH ON AMERICAN TAXATION.

THIS speech was delivered on April 19, 1774. On that night Rose Fuller, in general a supporter of Lord North's ministry, proposed the repeal of the Tea Duty, the only tax remaining of the six imposed by Townshend in 1767. He was warmly supported by Burke. But the motion was rejected by more than four to one.

*Page 1.* 1 'Who spoke last.' Mr. Cornwall, who in general had opposed the policy of Lord North. He had, however, within the last few months made his peace with the ministry and been rewarded with a Junior Lordship of the Treasury. Burke, in the opening passage of the speech, is concerned to make him smart for his political apostacy. Hence the phrases, 'his ministerial friends,' 'the noble lord's honourable friend,' 'I thought I had been perfectly acquainted with his sentiments.' Such instances of 'ratting' were too common during the first twenty years of George III.'s reign. The most famous example was perhaps that of Wedderburn (subsequently Lord Loughborough and Earl of Rosslyn), who after violent opposition suddenly accepted the post of Solicitor-General in 1771. He rejoined his old friends to become Lord Chancellor in 1783, but again deserted them with the same object in 1793. The king, who had profited by his baseness, fairly took the gauge of his character. 'He has not left a greater rascal behind in my dominions' was his verdict, on receiving assurance of Lord Rosslyn's death. See Trevelyan's *Life of Fox*, p. 361.

5 'For nine years.' Since the Stamp Act was passed in 1765.

7 'Occasional arguments,' arguments suggested by the convenience of the moment. There is a like use of the word in 'Occasional Verses,' 'Occasional Notes.' So 'a narrow, pinched, occasional system,' p. 62. 2.

15 'Challenges.' Cornwall had scornfully asked, 'Has anyone offered anything on the head of requisitions?' And again, 'You repealed the Stamp Act; did America then receive this boon of repeal cheerfully?' His speech was naturally but ill-reported; but see *Hansard*, xvii. 1214.

Page 2. 8 'Their causes and their consequences.' Burke's genius as a statesman lay in his power of grasping the causes of a political situation and the consequences of a political principle. The latter power is best seen in his writings on the French Revolution; the former in his speeches on America.

3. 9 'Management,' without respect of persons or of measures. This a common sense of the French *ménager*: and *παρασκευή* is used in the same way by Thucydides (ii. 39). In the words 'by such management' (p. 31, l. 22) we have another instance of the same usage.

18 'Take post on,' take advantage of.

21 'Duty on wine.' This was one of the duties imposed by Grenville in 1764, by way of 'raising a revenue in America.' See below (pp. 25-28).

31 'I affirm that the Americans did not.' This, unfortunately for Burke's argument, was hardly the case. The movement against the Navigation Laws—and Burke (p. 28) treats the duties of 1764 as part of these—gained strength after, and in consequence of, the repeal of the Stamp Act. See Bancroft, iii. 216, 7.

4. 7 'Whispered in circles,' a phrase suggested by the Latin *per circulos fremere, loqui*, used e.g. by Tacitus (*Agricola*, chap. 43).

22 'Support of the civil government,' i.e. the assignment of a fixed salary to the executive officers and the judges in the Colonies, in place of the annual vote which had hitherto been passed for the purpose by the Colonial Assemblies. It was thought that the Colonial Assemblies would refuse to vote a fixed salary, and that it could only be carried by an Act of the British Parliament. See Bancroft, ii. 352, 368, &c.

23 'Purposes still more extensive,' such as the creation of new regiments, the cost of which was to be partly defrayed by America. See below (p. 24).

5. 9 'First rank of honour.' It is not clear whether Burke here speaks of Lord North as Prime Minister, or as Knight of the Garter. Throughout this speech Lord North is meant by 'the noble lord,' and generally by 'the minister.'

28 'He is the man.' 2 *Samuel* xii. 7.

6. 1 'Household troops,' the body of men—generally holding subordinate offices at the Court or in the ministry—known as the king's friends, i.e. those who voted according to the personal wishes, and often according to the express directions, of the king. Elsewhere Burke denounces them as 'the Junto' and 'the Janissaries.' See *Present Discontents* (*Works*, i. 131-140); Macaulay, *Essay on Lord Chatham*, pp. 777-779; Trevelyan, *Life of Fox*, pp. 115-123; *Junius*, vol. i. p. 301. It has sometimes been said that these men had no existence save in the imagination of Burke and his friends. And it is possible that Burke and others may have exaggerated their importance. But there is positive evidence that they existed, and acted much as Burke

describes in the *Present Discontents*. See Albemarle's *Memoirs of Rockingham*, ii. 53. Nor on any other supposition is it possible to account for the undoubted subservience of Parliament, both lords and commons, to the king during at least the first twenty-three years of George III.'s reign. The most startling instance of their action was the rejection of Fox's East India Bill in the House of Lords, December, 1783. Lord Temple, a cousin of the younger Pitt, was empowered to inform all waverers that the king would regard any man who voted for the bill as 'his personal enemy.' The Bill was thrown out, and Fox immediately dismissed from office. For the opinion of Pitt, a dispassionate witness, see *Speeches*, i. 46.

*Page 6.* 16 'Five-sixths repealed.' Of the six duties imposed by Townshend in 1767—viz., on glass, red-lead, white-lead, printers' colours, paper, and tea—all save the last were repealed by Lord North in 1769.

30 'The paper in my hand,' Lord Hillsborough's circular letter quoted on p. 13.

38 'But you know that either,' &c. The dilemma is as follows: Either your assertion that repeal excites a rebellious spirit in the Colonies is false; or, if it is true, then no amount of commercial considerations would have justified repeal. The argument is unanswerable. No statesman could deliberately imperil the political safety of his country for the sake of commercial advantage. It is therefore clear that the commercial motive assigned for the repeal of 1769 was a mere pretence, and that the ministers proposed that repeal because they knew it to be the only chance of allaying disaffection. Burke's argument in the remainder of the paragraph, that on commercial grounds there was no objection to the five taxes, and therefore, on those grounds, nothing to be gained by their repeal, is conclusive.

7. 11 'Eluded by contraband.' Tea, in the words of Pitt, was the 'stronghold of smuggling'; and he was wise enough to attack smuggling in that stronghold by reducing the duty. See *Pitt's Speeches*, i. 224.

8. 1. 'The mischief of not having large and liberal ideas.' Compare the speech on Fox's East India Bill—and, though Burke was at that time allied with North, it is hard to believe that the sneer was not aimed at him—'I have known merchants with the sentiments and abilities of great statesmen; and I have seen persons in the rank of statesmen with the conceptions and characters of pedlars.' *Works*, i. 277.

16 'So paltry a sum as threepence.' Threepence was the amount charged on each pound of tea imported into the Colonies. 'Affairs of the East India Company.' During the Seven Years' War (1756-1763), the Company, thanks to the genius of Clive, had gained the revenues of the provinces of Bengal, Orissa, and Behar. The transfer of these by the Mogul was completed in 1765. Two years later (1767) the British Government agreed to leave the Company in possession of this vast sum (said to amount to three millions) in consideration of an annual payment

of £400,000. But by 1773 the Company was not only in arrears with this payment, but was also largely in debt to the Bank, the Custom-house, &c., although at the same time it was paying a dividend of at least 10 per cent. to its shareholders. The dividend was in that year reduced, but only to six per cent.; and the Government was induced not only to remit the annual tribute, but to grant to the Company a loan of nearly a million and a half. (See *Wealth of Nations*, Ward & Lock's edition, p. 593, &c.) Meantime, in consequence of the colonists' refusal to buy taxed tea, a large market for the sale of its principal commodity was closed to the Company. Bancroft estimates the quantity of tea annually consumed in America as 1,500,000 lbs., exactly the amount 'rotting in the warehouses of the Company.' But nine-tenths of this was said to be smuggled. Bancroft, iii. 59.

*Page 9. 8.* 'Crushing you with their burthen.' A powerful attack on the commercial folly of the East India Company will be found in Burke's speech on Fox's Bill. 'And here I will make a fair offer. If it can be proved that the Company have acted wisely, prudently, and frugally as merchants, I shall pass by the whole mass of their enormities as statesmen. That they have not done this, their present condition (1783) is proof sufficient.' *Works*, i. pp. 295-6. Adam Smith speaks no less strongly. *Wealth of Nations*, pp. 590-598. As to the political mismanagement of India by the Company, Burke uses still stronger language. 'Were we to be driven out of India this day, nothing would remain to tell that it had been possessed, during the inglorious period of our dominion, by anything better than the orang-outang or the tiger.' *Works*, i. 283. And Adam Smith is almost as severe: 'It seems impossible by any alterations to make the courts of the Company in any respect fit to govern, or even to share in the government of a great empire.' *Wealth of Nations*, p. 595. See also the opening of Burke's Speech on the *Impeachment of Hastings*.

*31* 'Retention of a shilling from the drawback.' Suppose that a duty is imposed on the exportation of a given article, whether of native or of foreign growth, from a particular country. If, with a view to encouraging exportation, a part of that duty is subsequently remitted to a given country, the remission is called a 'drawback.' Till 1763 the 'drawback' on goods exported from Great Britain to the Colonies had been very large, on an average more than half the amount of the duty. By an act of 1763 the drawback was reduced by a 'retention'; in the case of tea, a retention of 1s. on the pound. This retention was equivalent, of course, to a tax of 1s. on each pound of tea. In 1767 the English Government foolishly sacrificed this tax of 1s., raised without difficulty in the mother country, for a tax of threepence, which it was purposed to raise in the Colonies, but which, in fact, owing to the resistance of the Colonies, was never raised at all. See *Wealth of Nations*, pp. 350, 390-2, 459. It has been estimated that the tea-tax altogether brought in £85, while the expenses of trying to collect it were £100,000, a 'frightful minus quantity.'

**Page 10.** 30 'It is the weight of the preamble' which asserted that 'it is expedient to raise a revenue' in the Colonies. Burke has proved that the expediency was not commercial. He rightly infers that it was 'a principle of political expediency' on which he and the Colonies were at issue with the ministry. Well might he say that the ministry were fighting for a 'quiddity,' 'for a thing which was neither abstract right nor profitable enjoyment.' A 'quiddity' was the name given by the schoolmen to the most abstract essences of things; hence it came to be used for anything visionary and impalpable. See *Hamlet*, v. i. 108, 'Where be your quiddities now?'

12. 9 'A statute of Henry VIII.' providing for the trial of treasons committed out of the realm. It was passed in 1544, at a time when Henry was alternately burning Protestants for heresy, and sending Catholics to the scaffold for questioning the royal supremacy and the Act of Succession. See Lord Herbert's *History of Henry VIII.*, p. 685 (Ward and Lock's edition), and Burnet's *History of the Reformation*, i. 590-597. The effect of this statute was to deprive those arraigned under it of trial by their peers. 'To try a man under that act is, in effect, to condemn him unheard. He may be executed according to form, but he can never be tried according to justice.' Burke's *Letter to the Sheriffs of Bristol* (1777). *Works*, i. 207.

14. 15 Lord Botetourt, who was generally reputed to be of the King's party, had been appointed Governor of Virginia in 1768. His appointment, or rather the summary dismissal of his predecessor, Sir Jeffery Amherst, was one of the immediate motives for Lord Chatham's resignation of the Privy Seal in October of the same year. (Mahon, v. 203.) An angry correspondence on the subject will be found in *Junius*, ii., pp. 195-247. 'It was not Virginia that wanted a governor, but a court favourite that wanted the salary.' (p. 209.)

38 'A glorious and true character,' a sneer at the supposed insincerity of George III. Many of those who served him, at least in the early part of his reign, distrusted his honesty. Chatham pointedly contrasted his conduct with the straightforward bearing of George II. (Trevelyan, *Life of Fox*, p. 127.) *Junius*, politely laying the blame on Ministers, pronounced that the king had violated 'every political, every moral engagement that could bind either the magistrate or the man' (i. p. 275); Rockingham was compelled to extort written promises of honesty from him, as from a dishonoured gamester. (Albemarle, *Memoirs*, ii., p. 53, &c.) It is probable that George, though scrupulously honest in private life, believed all things to be fair in his war against the Whigs. (*Ib.* ii. 167.)

15. 7 'with the exception of two'; in reality, more. Lord Camden had resigned the Great Seal on Chatham's return to political life in 1770; the Duke of Grafton had resigned the Premiership at the same time, and (though he had again joined the Ministry in 1771) was now without a seat in the Cabinet; Lord Weymouth had resigned the Secretaryship of State in 1771; Hillsborough himself had resigned the Secretaryship of the Colonies in 1772.

Page 15. 25 'Underpinning,' a prop placed under the foundation, as a buttress is a prop placed against the wall, of a building.

35 'Preposterously,' in its literal sense of doing that last which should have been done first. See p. 93, 7.

16. 5 'Mumping and canting.' To mump, originally meaning to mumble, came to be used of a beggar's gesticulation, as 'to cant' of a beggar's whine. See Congreve's *Old Bachelor*, iii. v. 'Hang thee, beggar's cur; thy master is but a mumper in love; lies canting at the gate, but never dares presume to enter the house.' So *canter*=beggar in Ben Jonson's *Staple of News*.

10 'Letter of attorney,' a document by which a man is authorised to act as proxy, or mouthpiece, of another; a sneer at ministers for parading the name of the King in support of their measures. See p. 13.

27 'Atlas ordinary—foolscap,' different kinds of paper.

18. 11 'The very citadel of smuggling.' So Dirk Hatteraick offers Guy Mannering 'neat cognac, real hyson and souchong, Mechlin lace—just loaded yonder from Douglas in the Isle of Man.' (*Guy Mannering*, chap. iv.)

19. 7 'The American consumption of tea is worth £300,000.' Adam Smith, writing in 1776, estimated the total amount of tea imported by the East India Company into England as worth 'more than a million and a half.' *Wealth of Nations*, p. 176. It is not clear whether he includes the amount re-exported to the colonies. According as we include or exclude that, the consumption of tea in America would amount either to one-fifth or one-sixth of the whole. Burke had special means of information, as (since 1771) he had been agent for the colony of New York.

13 'But you did not find.' But=But you will say that. So p. 93, 10.

18 'To open a shop,' a vivid phrase for the provision of the Act of 1767, by which all duties payable in England on tea re-exported to America were remitted, for the sake of 3d. import-duty levied in America. See p. 9. The 'Boston Tea-party,' of December, 1773, was the result. See Bancroft, iii., 443-458.

23 'At the end of every vista.' So 'At the end of every vista in their academy you see nothing but the gallows.' *Reflections*, p. 47 of the 4th edition in this Series.

20. 8 'Mr. Speaker.' Sir Fletcher Norton who was accused by the Whigs of gross injustice to them in his conduct of the business of the House—a charge to which Burke probably alludes here. See Trevelyan's *Life of Fox*, pp. 437, 483; Prior's *Life of Burke*, p. 192.

26 'Twenty-nine Acts of Parliament.' In another work Burke describes these as 'additions, amendments, and exceptions to the original Act,' and adds, 'Our trade-laws have been universally acknowledged to be full as well founded in the alterations and exceptions as the Act of Charles II. in the original provisions.' *Observations on a late state of the Nation* (1769); *Works*, i. p. 107

Page 21. 2 'Preambles are not always idle words,' a sarcasm on the 'empty and false' preamble quoted on p. 6.

13 'The 6th of George II.,' an Act passed in 1733, by which a heavy duty was laid on the importation of rum, molasses, and sugar into the British Colonies. It professed to be passed for the benefit of the Sugar Colonies; and therefore, according to Burke, met with the less resistance. But, in fact, it was largely evaded with the connivance of the British officials. It may be reckoned as the first step taken by England in the direction of American taxation. Bancroft, ii. 244.

24 Bernard, Governor of Massachusetts from 1760 to 1769. Bancroft, ii., 531; iii., 349. Throughout he encouraged, if he did not instigate, the home Government in its unpopular measures; particularly in its determination to tax America both by way of Customs and of Excise, and in its wish to provide permanent salaries for the Colonial governors and judges. *Ibid.* iii. 79, &c.

22. 14 'Grew with their growth,' quoted from Pope, *Essay on Man*, ii. 176. So Pitt of the Rotten Boroughs: 'They have grown with the growth of England and strengthened with her strength, but they have not diminished with her diminution, nor decayed with her decay.' Macaulay, *Biography of Pitt*, p. 402.

26 'Nothing in the history of mankind.' Compare the passage in the speech on *Conciliation*, pp. 71, 2: 'And pray, Sir, what in the world is equal to it? . . . I pardon something to the spirit of liberty.'

33 'Not so much sent.' In the parallel passage (see last note) Burke speaks of 'a wise and salutary neglect,' as the policy of England toward her Colonies. Compare Marvell's Poem on the Exiles in the Bermudas, *Golden Treasury*, p. 100.

23. 3 'At least four-fold.' This is probably an overstatement. The total export trade of England in 1704 amounted to six millions and a half; at the Restoration (the starting point of Burke) it can hardly have stood at less than five and a half, and by Petty (*Political Arithmetic*: Arber's *Eng. Garner*, vi. 372) is estimated at much more (eight and a half, an obvious exaggeration). In 1775 the total export trade of England had reached sixteen millions: so that the export trade (which in Burke's day was reckoned as the only measure of prosperity) had multiplied not fourfold but, at most, threefold. See *Conciliation*, pp. 67, 8.

9 'She chose most . . . and paid them all.' See Introduction and note on p. 4, 22. 'Its authority never was disputed.' Burke throughout underestimates the discontent aroused by the Navigation Act. See Bancroft, ii. 82, 546, 553; iii. 35, 59, 214, &c. The first of these references relates to the beginning of the eighteenth century; the last to the period directly following the repeal of the Stamp Act.

31 'There is not a creek.' The general practice of smuggling was first successfully combated by Pitt. See note on p. 7, 11. Stanhope's *Life of Pitt*, i. 215-7; *Pitt's Speeches*, i. 217, &c.

*Page 24.* 24 'Twenty new regiments.' This was proposed in March, 1763, as one of the last acts of Bute's ministry. Townshend, then First Lord of Trade with a seat in the Cabinet, explained that, after the first year, the cost of these would be thrown on the Colonies. Bancroft, iii. 33, 57. In the words 'twenty colonels capable of seats in this house' Burke makes a jesting allusion to the expulsion of Wilkes and the substitution of Colonel Luttrell in his place, 1769. See Mahon, v. 193-231; *Junius*, i. 137-208, &c. For a ready retort made by Burke to Luttrell on the subject see Trevelyan's *Life of Fox*, p. 347. A lively account of the struggle against 'Wilkes and Liberty' will be found in Trevelyan, pp. 165-207.

25. 5 'A person.' George Grenville, Chancellor of the Exchequer and Premier, 1763-5. For a rather bitter character of him see Macaulay's *Essays*, pp. 762-775. Grenville, however, did great service to the Whig party by his conduct on the question of Wilkes, on the debts of the king, and on the crucial matter of reforming the method of dealing with disputed elections. Trevelyan's *Life of Fox*, pp. 172-236. *Junius* speaks of 'the shrewd, inflexible judgment of Mr. Grenville,' i. 172, 186, &c.

19 'To lean on,' to be hard on. "Premere" is so used, Virg. *Aen.*, xi. 402; and ἐγκεῖσθαι. Thuc., ii. 59.

26. 23 'The file,' filed documents: equivalent to the phrase 'red-tape,' invented by Carlyle.

27. 34 'Execution,' mode of enforcement.

36 'Enumeration of commodities'—new taxes. 'Regulations,' &c., the stricter enforcement of the Navigation Laws against illicit trade by an Act passed in 1763 at the proposal of Grenville. The Admiralty (or rather Vice-admiralty) Courts were charged with the trial of offences under this and previous Acts. These courts were composed of officers of the British navy, tried cases without jury, and were not responsible to the civil power in the Colonies. See Bancroft, iii. pp. 35, 61, 109. 'Paper currencies'; these had been founded, payable not at sight but after a long period, in the first quarter of the eighteenth century by most of the Colonial Governments. Attempts made to maintain them at their nominal value (which was in some cases less than  $\frac{1}{10}$  of their real value) resulted in great hardships to the individual trader; and at the end of the war Parliament interfered to forbid their future issue. On the whole, this interference was just, but at the moment it caused much distress and irritation in the Colonies. See Bancroft, ii. 263, &c.; *Wealth of Nations*, p. 262. 'Quartering of soldiers.' This was done irregularly, through an order of the Treasury, in 1763 (under Grenville's ministry), and formally, by an Extension of the Mutiny Act, in 1765 (again under Grenville's ministry). See Bancroft, iii. pp. 40, 105.

28. 34 'Beginning of sorrows.' *Matthew*, xxiv. 8. The words had already been applied to the act of 1764, by Livingston, a well-known citizen of New York. Bancroft, iii. 78.

*Page 29.* 15 'The Americans did not object.' A strong protest was made by James Otis, of Massachusetts, in a pamphlet printed July, 1764: 'There is no foundation for distinction between internal and external taxes. If Parliament may tax our trade, it may lay stamps, land-taxes, tithes, and so on indefinitely: there are no bounds.' See Bancroft, iii. 82.

31 'An option to tax themselves.' See Bancroft, iii. 96. Burke's account is substantially correct.

30. 24 'A respectable merchant,' probably Alderman Beckford, a strong supporter of Chatham's policy, who had protested against the announcement of the Stamp Act; 'As we are stout, I hope we shall be merciful.' Bancroft, iii. 72, 73. 'Massachusetts Bay and New York.' See Bancroft, iii. 89-94.

31. 12 'Connecticut,' &c. See Bancroft, iii. 102-104.

28 'In the year sixty-five.' Burke was at that time living by his pen, having lately come to 'an eternal rupture' with Gerard Hamilton, to whom he had acted as Secretary, when Hamilton was Chief Secretary to the Lord Lieutenant of Ireland. On the dismissal of Grenville and Bedford, in July, 1765, Burke was recommended to Rockingham, the new Premier, appointed his Private Secretary, and brought into Parliament as member for Wendover. Newcastle, the nominal Premier during the latter part of George II.'s reign, and until 1762, is said to have denounced Burke to Rockingham as a Jesuit—a calumny renewed more than once in later years. See Prior's *Life of Burke*, pp. 71-85. The 'common friend' was probably William Burke, Edmund's cousin. *Ibid.* p. 84. Rockingham—a man of much honesty, but no ability—is represented as 'the just man made perfect' by Burke and other Whig politicians and historians. See Macaulay's *Essays*, p. 775, &c. For a less favourable, and probably a juster, view of him see Mahon's *History*, v. 3; *Walpole's Letters*, v. 59, 265; viii. 243.

32. 10 'The Spanish trade.' Burke here refers to the Act of 1764, which had imposed duties on Spanish wines and on imports from the West Indian Islands, which largely belonged to Spain. Observe that throughout this paragraph and the next there is no mention of the Stamp Act.

22 'Mr. Yorke.' His conduct on American affairs was extraordinarily inconsistent. He spoke strongly for the imposition of the Stamp Act in February, 1765, and voted for its repeal in February, 1766. He deserted his party in 1770, on being offered the Great Seal in Lord North's ministry; and died, perhaps by his own hand, in remorse a few days later. The sad story is told by Trevelyan, *Life of Fox*, pp. 217-225.

25 'Redress the grievance.' The act of 1764 was enforced by stricter regulations against smuggling, and followed by an extension of

the Mutiny Act, with provisions for raising requisitions for the use of troops, to America. These measures were relaxed by Rockingham in the autumn of 1765. See Bancroft, iii. 69-105.

*Page 32.* 35 'That mighty tempest.' Resistance to the Stamp Act was headed by Virginia, Massachusetts, and New York, and enforced (1) by a voluntary abstention from British goods; (2) by systematic riots; (3) by a general refusal to use the official stamps; (4) by union between the Colonies, resulting in a general Congress, which met at New York in October, 1765. At this Congress—the importance of which in the development of American Independence cannot be over-rated—all the important Colonies, except Virginia, were represented. Only four, including Virginia, held aloof; and of these four, New Hampshire engaged itself to be bound by the general will. See Bancroft, iii. 120-164.

33. 15 'It was determined.' There seems to have been more vacillation on the part of the ministry than Burke is willing to admit. The king's speech, which Burke asserts below to have 'sufficiently crayoned out both the repeal and the Declaratory Act,' in fact did little more than mention 'matters of importance relating to America, and deserving the most serious attention.' It was noticed that Rockingham himself did not speak on the subject. See Mahon's *History*, v. 128; Bancroft, iii. 167.

34. 9 'Bon ton,' *i.e.*, the fashionable phrase. 'Modification' was the policy, and the constant phrase, of George III. See Albemarle's *Memoirs of Rockingham*, i. 229-302.

13 'A denial of our right to tax.' This was the policy of Chatham, urged in his great speech, January 14th, 1766. 'Taxation is no part of the governing power. The taxes are a voluntary gift and grant of the Commons alone. In an American tax what do we do? We, your Majesty's Commons of Great Britain, give and grant to your Majesty—what? Our own property? No; the property of your Majesty's Commons in America. It is an absurdity in terms.' See *Hansard*, xvi. 101; Bancroft, iii. 176-7. Chatham's arguments were hotly resisted by Burke (see speech on *Conciliation*, p. 89), and Burke is followed by Macaulay. *Essays*, p. 777. But, on the whole, it is probable that Chatham's policy was wiser than that of Burke and Rockingham. It appealed more strongly to the imagination of the Colonists; and, if accepted, it would have prevented the subsequent attempt at Colonial taxation.

34. 25 'The noble lord,' &c., Lord Rockingham (Premier), Mr. Dowdeswell (Chancellor of the Exchequer), and General Conway (Secretary of State and Leader of the House of Commons). In the words, 'If he will not reject his share,' Burke taunts Conway who, on the dismissal of Rockingham, remained in office first under Chatham,

then under the Duke of Grafton, and who was therefore a party to the imposition of the Six Taxes in 1767. Conway was a brave and honourable, but weak man; mainly remarkable as one of the principal correspondents of Horace Walpole, whose *Letters* are the most lively authority on the political intrigues of the last half of the eighteenth century.

*Page 34.* 36 'The old mercenary Swiss.' See note on p. 6. 1. It was on this occasion that Rockingham had the curious struggle with George III., mentioned in note to p. 14. 38.

35. 16 'That glaring and dazzling influence,' the influence of the king. 'At which the eyes of eagles have blenched': an allusion to the conduct of Chatham, whose deference to the king was, until he had twice been taught by experience, excessive. In a letter to Rockingham, written in 1769, Burke speaks bitterly of him as going to the King's Closet 'to talk some pompous, creeping, ambiguous matter in the true Chatham style.' Burke, however, never understood the greatness of Chatham, though in a note written towards the close of his life, after a sarcastic mention of Chatham's supposed love of theatrical effect, he adds 'Oh, but this does not derogate from his great, splendid qualities.' Chatham, in fact, was not so much subservient to the king, as hoodwinked by him. (See notes on p. 44, and Introd.). After his return to political life in 1770, he recognised that he had been used as a tool, and remained in uncompromising opposition to the Court. George appreciated the change and sighed for the day 'when death or decrepitude shall put an end to him, as a trumpet of sedition.' See Letter to Lord North, quoted in Mahon's *History*, vi. p. 50. An excellent sketch of the contrast between Burke and Chatham will be found in Hazlitt's *Sketches and Essays*, pp. 410-2. For Burke's opinion of Chatham, see Albemarle's *Memoirs*, ii. 195.

35. 23 'Whose aid was then particularly wanting.' Chatham's refusal to accept the Declaratory Act, *i.e.* the right of the British Parliament to legislate for the Colonies 'in all cases whatsoever' (including Taxation), closed the negotiations for his joining Rockingham's Ministry in January, 1766. See Bancroft, iii. 185.

36. 8 'Lord Egmont' had the reputation of being the most public-spirited, as he was certainly the ablest, of the 'King's Friends.' His tenderness to Rockingham seems to have been dictated largely by dislike of Chatham. See *Grenville Correspondence*, ii. 6; iii. 303; iv. 56.

34 'Who led us in this house.' Conway.

37. 7 'Conquer.' The result of the division on February 22, 1766, was: For repeal, 275; against, 167.

9 'The honourable gentleman.' Conway. The scene is described in Macaulay's *Essays*, p. 779—an account drawn from Walpole.

(*Memoirs of George III.* ii. 299). Burke characteristically says nothing of the applause given to Chatham; nor of the hisses which greeted Grenville.

Page 37. 10 'The whole trading interest of this empire.' This is hardly an exaggeration. Petitions for repeal of the Stamp Act had been presented by London and Bristol, the two chief trading cities in the Empire, and also by Liverpool and Manchester (neither of which, however, was yet a city of the first, or even of the second rank). The ground of these Petitions was that the Stamp Act interfered with the trade of the Colonists, and that they were therefore unable to pay their debts to English merchants. Four millions were said to be owing to the merchants of London alone. See Mahon's *History*, v. 135-6. Bancroft, iii. 95.

23 'Hope elevated,' an unlucky quotation, as it is applied by Milton to the serpent at the moment of Eve's fall. *Paradise Lost*, ix. 634.

25 'The face of an angel.' *Acts* vi. 15.

38. 4 'The Declaratory Act,' passed in January, 1766, ran as follows: 'That the Parliament of Great Britain had, hath, and of a right ought to have, full power and authority to make laws and statutes of sufficient force to bind the Colonies and people of America in all cases whatsoever.' Charles Yorke was anxious to amend it thus: 'As well in cases of taxation as in all other cases whatsoever.' But Rockingham resisted. 'It is our firm resolution,' he wrote to Yorke, 'that the word *taxation* must not be inserted.' Yet, since taxation was not (as Chatham wished) excluded, there was but little difference, except in courage, between Rockingham and Yorke. Moreover, the Declaratory Act was accompanied by Resolutions of both Houses, denouncing the tumults raised against the Stamp Act, calling on the governors of Colonies to bring their 'abettors and perpetrators to deserved punishment, and requiring the Colonies to recompense those who have suffered by these riots.' These Resolutions diminished the grace of the partial concession involved in the repeal of the Stamp Act, and the execution of them was naturally resisted in the Colonies, particularly in Massachusetts and Rhode Island. See Albemarle, *Memoirs of Rockingham*, i. 270 etc.; Bancroft, iii. 233-5. In 1775, Rockingham wrote bitterly to Burke: 'Lord Chatham favoured me with his opinion that the Declaratory Act had been the cause of the revival of all the confusion.' Albemarle, *Memoirs*, ii. 261.

39. 6 'Outrageous tumults.' For the riots, almost amounting to insurrection, before the repeal of the Stamp Act, see Bancroft, iii. 110-164.

35 'General Gage,' commander-in-chief of all the British forces in North America. In 1774, still retaining this post, he was also appointed Governor of Massachusetts to enforce the Boston Port Act. Bancroft, iii. 475. Elsewhere he wrote still more strongly: 'The

whole city (New York) rose as one man in opposition to the Stamp Act.' At the same time Bernard wrote of Massachusetts: 'They talk of revolting from Great Britain in the most familiar manner,' Bancroft, iv. 535. (Edition 12mo; no date.)

*Page 40.* 39 'Dr. Tucker,' Dean of Gloucester, had proposed that England should declare the Colonies independent, and henceforth trade with them as with any foreign nation. 'Can the Colonies,' he asked, 'trade with any other European State to greater advantage than they can with Great Britain? If they cannot, we shall retain their custom.' His assertion that their resistance to the Stamp Act was incited by the virulence of the Opposition in England was unwarranted, and Burke did well to be angry with it. But in his main argument, which was part of a general plea for Free Trade, there was much wisdom; and Burke himself went far to adopt it in his letter to the sheriffs of Bristol (1777). 'I confess that I should prefer independency without war to independency with it; and I have so much trust in the inclinations and prejudices of mankind, and so little in anything else, that I should expect ten times more benefit to this Kingdom from the affection of America, though under a separate establishment, than from her perfect submission to the crown and parliament, accompanied with her terror, disgust, and abhorrence.' *Works*, i. 219. See *Taxation no Tyranny*; Johnson's *Works*, viii. 200; Bancroft, iii. 473. Grenville himself had given countenance to Tucker's accusation by saying, 'The seditious spirit of the Colonies owes its birth to the factions in this House.' Bancroft, iii. 180. Smyth's *Lectures on Modern History*, ii. 380-383.

41. 9 'I never heard a more languid debate.' Horace Walpole speaks lightly of having spent 'a slight day on the American Taxes.' *Letters*, v. 322.

42. 8 'Halifax' was succeeded by Conway as Secretary of State, 'corresponding with the Colonies,' when Rockingham came into power.

29 'Importunate buzzing.' There is a like metaphor in the *Reflections*: 'Because half a dozen grasshoppers under a fern make the field ring with their importunate chink, while thousands of great cattle, reposed beneath the shadow of the British oak, chew the cud and are silent, pray do not imagine that . . . they are many in number, or that they are other than the little, shrivelled, meagre, hopping, though loud and troublesome, insects of the hour.' *Works*, i. 413.

32 'The honourable gentleman,' Cornwall. See p. 1, and notes.

36 'They were quiet.' See note on p. 3. 31. The colonists now began to draw comparisons between the Stamp Act and the Navigation Laws, and to denounce the latter 'as the more slavish thing of the two, and the more inconsistent with civil liberty.' 'We are hasty,' said a

Virginian politician, 'in expressing our gratitude, if the repeal of the Stamp Act is not at least a tacit compact that Great Britain will never again tax us.' Bancroft, iii. 216, 7. It should be noticed that Burke contents himself with quoting official declarations which might be, and in this case were, at variance with public opinion.

*Page 43.* 8 'The obnoxious Colony.' In consequence of the riot against the tea tax, known as the Boston Tea-party (December 16, 1773), North hurried through Parliament a Bill closing the port of Boston to all vessels of trade. It was passed, under protests from Burke and a few others, but without a division in either house, at the end of March, three weeks before this speech was made. It was followed by a Bill altering the Charter of Massachusetts, and in particular interfering with the nomination of sheriffs and juries, which passed by a majority of three to one in the Commons and a still greater majority in the Lords. Immediately afterwards was revived the Statute of Henry VIII. for the trial of treasons committed out of the realm, mentioned on p. 12. Bancroft, iii. 455-480. Speech on *Conciliation*, p. 107.

34 'The mode has been chicaned upon,' *i.e.* frivolous objections have been urged against the way in which it was done. Thus the Assembly of Massachusetts in voting compensation to those 'loyalists' who had suffered from the riots, coupled it (1) with a vote of pardon to the rioters (2), with a resolution that the grant was made of the 'free and good will' of the Assembly, not in deference to 'a requisition' from the British Government. Bancroft, iii. 234, 5.

44. 2 'Demonstrated their gratitude.' There were rejoicings throughout the Colonies, nowhere more than in Massachusetts, which hailed Chatham as 'the genius and guardian of Britain and British America.' A statue was put up to the King by Virginia, to Chatham by S. Carolina, to both by New York. Bancroft, iii. 213-221. In further support of Burke's contention may be cited the formal words of the second Colonial Congress, which met in September 1774—words more than once quoted by Burke himself: 'The Colonies fell,' after the repeal, 'into their ancient state of unsuspecting confidence in the mother country.' See *Letter to the Sheriffs of Bristol. Works*, i. 219.

16 'Not as long as it was happy.' See Burke's *Short Account of a late short Administration* (1766). *Works*, i. 75.

19 'Lord Chatham' succeeded Rockingham as Premier at the end of July, 1766. Mahon's *History*, v. 157-161. Macaulay's *Essays*, pp. 782-3.

21 'Every other on the globe.' Two illustrations, out of many, may be given; the well-known saying of Frederick the Great: 'England has long been in travail, but she has at length brought forth a man'; and the following remark made by Walpole within a week before Chatham came into office: 'The French panic at Pitt's name is not to

be described. Whenever they were impertinent, I used to drop, as by chance, a hint that he would be minister in a few days, and it never failed to occasion a dead silence.' Walpole, *Letters*, v. 6 (July 23, 1766). Even Johnson, who did not love him, was forced to admit, 'Lord Chatham was a *dictator*; he possessed the power of putting the State in motion.' Boswell's *Life*, iii. 353. Macaulay's two essays are grudging in their estimate. A fairer judgment is to be found in Green's *History*, p. 748-753, in Hazlitt's *Sketches and Essays*, pp. 444-9, and, above all, in Carlyle's *Frederick the Great*, vii. 138-140.

*Page 44. 22* 'Clarum et venerabile,' quoted from Cato's lament over Pompeius. Lucan, ix. 203.

35 'General maxims.' Chatham had doubtless offended Burke's fastidious taste by his assertion of what was hardly to be distinguished from the abstract right of all men to political liberty, and his assault on 'the rotten parts of the Constitution,' *i.e.*, the rotten boroughs. See his speech against the Stamp Act (January, 1766), Bancroft, iii. 175-184. In fact, Burke's hatred of the abstract politician was shewn against Chatham long before it blazed out against the French 'professors of the rights of man.' Chatham was the last man to accept Burke's doctrine of expediency, as the cardinal principle of politics; and a striking passage of the next speech is obviously directed against him on this account. *Conciliation*, p. 89.

36 'One or two of these.' It is plain from the context that this refers to Chatham's 'maxim,' that all parties are corrupt, to his belief in what Burke calls 'the cant of *not men but measures*.' *Works*, i. 151. Thus Shelburne, one of Chatham's ablest lieutenants, on being asked to join Rockingham's ministry in 1765, replied, "As to my future conduct your lordship will pardon me if I say, 'Measures not men will be the rule of it.'" Albemarle's *Memoirs of Rockingham*, i. p. 235. So Chatham himself, in January, 1766, said, 'I speak not with respect to parties. I stand up in this place single, unsolicited and unconnected' (Bancroft, iii. 175); and a few weeks later—'I am as Eve in the garden of God, single and naked, yet not ashamed.' Mahon's *History*, v. 140. That it was the avowed principle on which his ministry was formed is seen from the king's letter on his appointment: 'I know the Earl of Chatham will zealously give his aid towards destroying all party distinctions.' *Ibid.* p. 160. Burke's somewhat sophistical defence of party as such, *i.e.* of 'men, not measures,' will be found in *Present Discontents*. (*Works*, i. 151-3.) It is a curious nemesis that the man who professed so unbounded a reverence for party, 'who to party gave up what was meant for mankind,' should twice have had a hand in destroying his party; the first time, by the shameless coalition of 1783; the second, by his breach with Fox over the French Revolution. For the broad bearing of the question on the history of George III.'s reign see Introduction, and Green's *Short History*, 748-753.

Page 45. 18 'A single office divided.' This is supposed to refer to Lord North and a Mr. Cooke, who were joint paymasters of the forces.

20 'Heads and points,' like a box of pins.

31 'He was no longer a minister.' See Introduction, p. xviii.

32 'When his face was hid.' In December, 1766, Burke had set the House in a roar by a sudden digression in a speech on the East India Charter: 'But perhaps this House is not the place where our reasons can be of any avail. The great person who is to determine this question may be a Being far above our view; a Being so immeasurably high, that the greatest abilities, or the most amiable dispositions, may not gain access to Him; a Being before whom thrones, dominations, princedoms, virtues, powers'—waving his hands over the Treasury Bench—'veil their faces with their wings.' Here he was called to order, but retorted, 'I have been called to order many times, but I little thought to be interrupted over my prayers.' Mahon, *History*, v. 175. The leading members of Chatham's ministry were Lord Camden, Lord Shelburne, Duke of Grafton, and Charles Townshend.

37 'A confidence in him.' An extract from Grafton's *Memoirs* will illustrate the unrivalled supremacy of Chatham: 'Lord Chatham took the lead' (in discussing the actual situation and interests of the various European powers) 'in so masterly a manner as to raise the admiration and desire of us all to co-operate with him in forwarding these views. Mr. Townshend was particularly astonished, and owned to me that Lord Chatham had just shewn to us what inferior animals we were and that, much as he had seen of him before, he did not conceive till that night his superiority to be so very transcendent.' Mahon's *History*, v. 164.

46. 21 'Charles Townshend,' Chancellor of the Exchequer from July, 1766, to his death in September, 1767. Chatham had the greatest distrust of him, for some time (in spite of his important office) refused to admit him to the Cabinet, and in December, 1766, proposed to dismiss him as 'incurable.' By his own confession, in his famous Champagne Speech, he was called 'the Weathercock.' See Mahon's *History*, v. 179. Walpole's *Memoirs of George III.* iii. 24. A lively description of him will be found in *Humphrey Clinker*, Smollett's *Works*, p. 830.

47. 2 'Between wind and water,' where a shot in a sea-fight is most fatal.

48. 22 'The right honourable gentleman.' Conway.

33 'He was tied down' by Grenville, who secured the support of the country gentry by pointing out that the stamp-duty had been equivalent to 1s. in the pound of the land-tax. The Rockingham party, much to its discredit, joined Townshend and Grenville in voting the reduction

of the land-tax by 1s. (out of 4s.) in the pound ; and the six taxes were imposed as an equivalent. Burke, it must be remembered, refused to join in either part of this scheme. But Hardwicke, a leading supporter of Rockingham, wrote : 'A little pathos about the middling small landed gentry and country clergy will not be amiss *ad captandum* and to be talked of *provincialiter*' (i.e. on the hustings). Walpole sarcastically remarked : 'The reduction of the land-tax is a captivating bait to the country gentry, and the approach of a general election made it important for them to vote for it : £500,000 lost.' Walpole, *Letters*, v. 37 ; Albemarle's *Memoir of Rockingham*, ii. 40 ; Bancroft, iii. 238-244.

*Page 49.* 13 'The devoted East India Company.' See note on p. 8. 16.

14 'To counterwork.' See p. 7. 11.

30 'A race of men.' The king's friends. See note on p. 6. 1.

50 25 'Assemblies dissolved.' The Assembly of Massachusetts was dissolved by Governor Bernard in July, 1768, for refusing to rescind a resolution, embodied in a circular letter to the other Colonies, against the payment of judges by the Home Government, the six taxes, a standing army, and other grievances. The Assembly of New York had been conditionally suspended shortly before. Bancroft, iii. 273-293.

26 'Troops sent out.' In June, 1768, troops were ordered to be 'permanently' quartered in Boston. In July, 1769, the Assembly of Massachusetts refused to allow the billeting of these, and a struggle, known as the Boston Massacre, followed on March 5th, 1770. The troops were then removed to barracks. Bancroft, iii. 298-378.

51. 2 'A Secretary of State.' Lord Hillsborough. See p. 13.

18 'Some honourable right.' So 'a thing which is neither abstract right, nor profitable enjoyment,' p. 11. 16. See a speech made by Burke in 1781, in which he applied the fable of shearing the wolf to the conduct of Ministers : 'Oh, excellent rights ! oh, valuable rights ! that have cost Britain thirteen provinces, four islands, a hundred thousand men, and more than seventy millions of money ! Oh, miserable and infatuated ministers, miserable and undone country, not to know that right signifies nothing without might.' Prior's *Life of Burke*, p. 209.

52. 1 'Distinction of internal and external.' The distinction, originally drawn by the Colonists themselves, had (as Burke says) broken down ; the tea-tax (external) had excited little less discontent than the stamp-tax (internal). As amended below by Burke, it still had some force. The Colonists were still disposed to recognise a distinction between 'duties for regulating trade' (the Navigation laws) and taxes for supporting establishments, such as a standing army and a permanent executive and judicial body (the stamp-tax and the tea-tax). At the bar of the House of Commons, on February 13th, 1766, Franklin (then

agent for Pennsylvania) was asked by Charles Townshend, 'May not the Colonists, by the same interpretation of their common rights as Englishmen, as declared by Magna Charta and the Petition of Right, object to the parliament's right of external taxation?' His answer was, 'They never have hitherto. Many arguments have lately been used here to show them that there is no difference; and that, if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so; but in time they may be convinced by these arguments.' Bancroft, iii. 204. But see note on p. 29. 15.

Page 52. 23 'The penal bills.' The bill for closing Boston Port, and the bill for altering the Charter of Massachusetts. Bancroft, iii. 475-7; iv. 5-11.

53. 6 'If you kill': an allusion to the words which Elijah was commanded to speak to Ahab at the entry to Naboth's vineyard. I Kings xxi. 19.

10 'Seek peace.' I Peter iii. 11; Psalm xxxiv. 14.

14 'I hate the very sound.' Burke's hatred of abstract arguments in politics appears most clearly in the *Reflections*, and in his other writings on the French Revolution. But in fact, owing to imperfect knowledge and to prejudice, the whole of the *Reflections* is an abstract argument, of the worst kind, in favour of keeping things as they are.

25 'The schools'; i.e. the philosophers, discussing 'academically.' So in the *Reflections*: 'I have nothing to say to the clumsy subtlety of their political metaphysics. Let them be their amusement in the schools. *Ille se jactet in aula Æolus.*' Works, i. 403.

54. 10 'A noble lord,' Lord Carmarthen, afterwards Duke of Leeds and Foreign Secretary in the earlier part of the second Pitt's first administration. His two arguments were the stock in trade of his party. Chatham had dealt with them in 1766: (1) 'The Americans are the sons, not the bastards, of England. As subjects, they are entitled to the common right of representation' (which they had in their own assemblies) 'and cannot be bound to pay taxes without their consent.' (2) 'I would fain know by whom an American is represented here. Is he represented by any knight of the shire? . . . Or will you tell him that he is represented by any representative of a borough—a borough which perhaps no man ever saw? This is what is called the rotten part of the constitution. It cannot endure the century. If it does not drop, it must be amputated. The idea of a virtual representative of America in this house is the most contemptible that ever entered into the head of man. It does not deserve a serious refutation.' Bancroft, iii. 176, 7.

28 'The shameful parts,' a bold phrase for the rotten boroughs. Burke, who was an obstinate opponent of Reform, must have regretted its force, on reflection.

*Page 55.* 12 'Imperial rights.' The proposal here sketched would not have been satisfactory to the colonies. It amounts to this: 'Ask the Colonial assemblies for a free grant; and, if they refuse, exact a forced one.' In Burke's own language, this is 'to offer the grievance as a remedy.' Burke himself was wise enough to abandon it a year later, and to follow the lines laid down by Chatham in his Bill of February, 1775. See *Conciliation*, pp. 101-5, 115; Mahon's *History*, vi. 26, 7. It must also be noted that Burke's proposal explains away the Declaratory Act to a considerable extent. The Declaratory Act asserted the right of Great Britain to legislate for the Colonies 'in all cases whatsoever.' By Burke's proposal her right to tax them in the first instance is tacitly waived, and only begins to operate, in case they refuse to tax themselves. This was a merit, in so far as it was a slight concession to American demands. But, apart from the objection that it did not go far enough, Burke would have done well to confess candidly that it *was* a concession.

56. 8 'Case of Pennsylvania.' This was a dispute between the proprietors of the Colony, the heirs of William Penn, and the assembly as to the administrative rights of the former. Bancroft, ii. 460, 529.

24 'We drew more' by free grants. Thus in 1759, the year of the conquest of Canada, all the Northern Colonies, including New York and New Jersey, contributed largely, both in troops and money, to the war. Massachusetts raised 7000 men, Connecticut 5000, and other Colonies in proportion. The year before Massachusetts had, among other taxes, imposed an income tax of 13s. 4d. in the £1. This was under Chatham's ministry. On the other hand, in 1755, when no confidence was felt in the English ministry, most of the Colonies refused grants. Bancroft, ii. 415, 483, 500. *Conciliation*, pp. 103, 4.

33 'Sir William Temple,' who negotiated the Triple Alliance between England, Holland, and Sweden in 1668, and is also known as the early patron of Swift. See Macaulay's *Essay* on him. The statement in the text must be an exaggeration, since Alva's taxation, against which the revolt was made (the 10th, 20th, and 100th Penny) would, if it had not been too absurd to operate, have annihilated all commerce. Petty, writing about 1677, speaks more temperately: 'No part of Europe hath paid so much, by way of tax and public contribution, as Holland and Zealand, for the last hundred years; and yet no country hath, in the same time, increased its wealth comparably to them.' Arber, *English Garner*, vi. 351.

57. 3 'A million' pounds' worth.

19 'Not partial good,' an adaptation of Pope's line, 'All partial evil, universal good.' *Essay on Man*, i. 292.

36 'The noble lord': North, who was however capable of wittier strokes than this.

58. 9 'My excellent friend.' Dowdeswell. See note on p. 34, 25; *Letter to the Sherriffs of Bristol. Works*, p. 220.

## SPEECH ON CONCILIATION WITH AMERICA.

THIS speech was delivered on March 22, 1775. During the year that had passed since the speech on *Taxation*, the face of things had greatly darkened. The port of Boston had been closed; the charter of Massachusetts had been tampered with; the Colony had been proclaimed in rebellion; and the other Colonies had gathered round it in the Congress of Philadelphia; Lord Howe had been sent out in the joint office of negotiator and of admiral; and civil war was within measurable distance. Within a month after Burke spoke, the first blood had been shed at Lexington (April 19), and the war, which was to end in American independence, had begun. Burke spoke with a full sense of the coming danger. His proposals, differing materially from those of the previous year, were intended to avert it. Never had his voice been raised with such persuasive force, never with a passion so solemn as in the closing appeal. This speech is not such a masterpiece of dialectical skill as that on *Taxation*, nor is it so vivid in colouring; but it shows a yet greater mastery of the wider bearings of the subject. It is probable that nothing in the whole range of eloquence can compare with the picture of American enterprise near the beginning, and with the sustained loftiness of the peroration.

Page 59. 9 'The grand Penal Bill' for confining the commerce of the New England Colonies to Great Britain, Ireland, and the British West Indian Islands, and for excluding them temporarily from the fisheries of Newfoundland. This Bill was passed immediately after this speech, and before the end of the year was extended to other Colonies. The fisheries were a chief means of support for the inhabitants of New England; and Fox was justified in saying, 'As by this Act all means of acquiring a livelihood or of receiving provisions are cut off, no alternative is left but starving or rebellion.' Bancroft, iv. 126, 132; Mahon's *History*, vi. 32.

60. 2 'The most important.' So Chatham, in January, 1766: 'The subject is of greater importance than ever engaged the attention of this House, that subject only excepted when, nearly a century ago, it was a question whether you yourselves were to be bond or free.' Bancroft, iii. 176.

7 'To take more than common pains.' Elsewhere Burke said with justifiable pride, 'I think I know America. If I do not, my ignorance is incurable; for I have spared no pains to understand it; and I do most solemnly assure you that everything that has been done there has arisen from a total misconception of the object.' *Letter to the Sheriffs of Bristol. Works*, i. 212.

Page 60. 14 'Blown about with every wind.' *Ephesians* iv. 14.  
 18 'At that period.' The period of the repeal of the Stamp Act.  
 37 'Her present situation.' Virtual civil war.  
 61. 4 'A worthy member.' Rose Fuller, in support of whose motion for repeal of the Tea-tax the previous speech was made.  
 62. 32 'Peace through the medium of war,' a sarcastic description of North's proposals. See next paragraph and pp. 113, 4.  
 63. 4 'The former unsuspecting confidence.' See note on p. 44. 2.  
 10 'Refined policy.' So 'this fine-spun scheme had the usual fate of all exquisite policy.' Page 49. 19.  
 22 'The blue riband,' worn by North as Knight of the Garter.  
 33 'The project.' See pp. 111-115.  
 65. 8 'Abstract ideas of right.' See p. 89.  
 19. 'Two millions.' The most populous colonies were Massachusetts and Pennsylvania, estimated at 200,000 each; Virginia, at 168,000; Connecticut, at 133,000; Maryland, at 104,000; New York, at 85,000. Bancroft, ii. 389, 460.  
 20 '500,000 others.' Negro slaves, mainly in the colonies south of the Potomac. Bancroft (who, however, seems anxious to make the least of slavery in America) estimates them at not much over the figure taken by Burke; ii. 390.  
 66. 2 'Occasional system.' So 'occasional arguments and temporary expedients.' Page 1. 7.  
 66. 4 'One of those *minima*,' with allusion to the maxim 'De minimis non curat lex.'  
 20 'A distinguished person': Glover, author of a dreary epic, *Leonidas*, of a nondescript poem, *London, or the Progress of Commerce*, and of a tolerable ballad, *Admiral Hozier's Ghost* (to be found in Percy's *Reliques*). He had given evidence before the House of Commons on the West Indian Commerce of England at the approach of the war with Spain in 1740.  
 67. 8 'Davenant.' With Dudley North, Gregory King, and Sir William Petty, he laid the foundation for the scientific study of political economy at the end of the 17th century. His chief work is *On the Balance of Trade*. There are several references to his works in Macaulay's *History*, chap. iii.  
 11 'The export trade to the Colonies.' The trade to Africa is said to 'terminate in the Colonies' because the slaves, the purchase of whom was almost the sole object of our trade with Africa, were re-exported (mainly from Bristol) either to the West Indian Islands or to the Southern Colonies of North America.

Page 67. 32 'Which had in 1704 no existence.' Burke does not mean merely that, before the Union, Scotch exports were not to be found in the tables of an English office, but that Scotland at that time had practically no foreign trade. An account of Paterson's desperate effort to found such a trade by the disastrous colonization of Darien (1695-9) will be found in Macaulay's *History*, ii. 726-740.

68. 24 'Sixteen millions.' Burke lived to see the exports of Great Britain rise to thirty millions and a half: *Regicide Peace*, iii. *Works*, ii. 351. (Based on official statistics of 1796, the year before Burke's death.) This enormous increase was due mainly to the sudden development of manufactures, which dates from the inventions of Arkwright and Watt (both in 1769), and to the improved means of communication (e.g. the Grand Trunk Canal between the Trent and the Mersey, finished in 1777), partly also to the enlightened finance of Pitt (1783-1800) and to the chance of engrossing Continental trade thrown in the way of England by the Continental wars which began in 1792. See Toynbee, *Industrial Revolution*, 46-93. Burke takes the export trade as the exclusive test of prosperity, out of deference to the generally received 'Mercantile Theory,' which assumed that the only true wealth of a nation consists in the excess of exports over imports, and ultimately rested on the belief that money alone is wealth. This theory was demolished by Adam Smith, whose *Wealth of Nations* was published in the year following this speech; but it is probable that Burke was aware of its absurdity.

31 'It is good for us to be here.' *Matthew* xvii. 4.

33 'Clouds indeed and darkness.' Burke probably had in mind the following lines from the *Soliloquy of Cato*:

"The wide, the unbounded prospect lies before me;  
But shadows, clouds, and darkness rest upon it."

—Addison, *Cato*, v. 1.

69. 2 'Lord Bathurst,' born in 1684 and the friend of Pope, who dedicated to him the third *Moral Essay*. He died within a few months after this speech.

4 'Acta parentum.' Virgil, *Eclogue*, iv. 27.

13 'His son,' Lord Apsley, who was appointed Lord Chancellor in 1771—the Great Seal having previously been in commission since the death of Charles Yorke in 1770. See note to p. 32. 22. In 1772 Lord Bathurst was created an earl, in consideration of his son's services and his own great ability. Bathurst had taken a prominent part in the trial of Atterbury (1723), whom he warmly defended. Mahon's *History*, ii. 48.

17 'That angel.' This passage is said by Mrs. Thrale to have 'struck even foes with admiration, and friends with delight.' It now appears somewhat laboured. Mrs. Thrale records Johnson's witty parody: "Suppose, Mr. Speaker, that to Wharton, or to Marlborough,

or to any of the eminent Whigs of the last age, the devil had, not with any great impropriety, consented to appear ; he would perhaps in these words have commenced the conversation : ' You seem, my lord, to be concerned at the judicious apprehension that while you are sapping the foundations of royalty at home . . . the distance of America may secure its inhabitants from your arts, though active ; but I will unfold to you the gay prospects of futurity. This people, now so innocent, shall draw their sword against their mother country and bathe its point in the blood of their benefactors ; . . . these men, now so honest and so grateful, shall, in return for peace and protection, see their vile agents in the house of parliament, there to sow the seeds of sedition, and propagate confusion, perplexity, and pain. Be not dispirited then at the contemplation of their present happy state ; I promise you that anarchy, poverty, and death shall, by my care, be carried even across the spacious Atlantic, and settle in America itself, the sure consequences of our beloved whiggism.' " *Johnsoniana*, p. 21.

*Page 70.* 9 'Pennsylvania.' The working of iron, in which the great wealth of Pennsylvania now lies, had already begun ; and Philadelphia was at this time the largest city in the thirteen Colonies. *Bancroft*, iii. 446.

20 'Deceive the burthen,' i.e. make us forget it. So 'to beguile the way,' 'to cheat the toil.' The use of the word is taken from that of the Latin 'fallere': as 'Jam vino quærens, jam somno fallere curam.' Horace, *Sat. II.*, vii. 114.

36 'Filial piety.' An allusion to the story told in *Childe Harold*, iv. 148-150.

71. 16 Falkland Island. About ten years before this time, one of the Falklands had been settled by Commodore Byron (the poet's grandfather). In 1770 the settlement was wantonly attacked, and the island seized, by Spain. Lord North's ministry exacted the restitution of the island, with an apology (1771). But two years later, in virtue of a secret agreement with Spain, the settlement was abandoned, and the islands were not again occupied by England till 1833. The ministry were commonly thought to have shown a great want of spirit ; it was supposed, with some plausibility, that they felt their hands too full of troubles at home to risk the chance of a foreign war. See Mahon's *History*, v. 276-280 ; *Junius*, i. 316-324 ; Johnson's *Falkland Islands (Works*, viii. 96-141), a pamphlet mainly noticeable for its savage attack upon Chatham and Junius.

24 'No sea but what is vexed,' in the literal sense of the Latin *vexare*, 'to toss' ; as 'montesque supremos Silvifragis vexat flabris,' *Lucr.*, i. 275. Milton and Shakespeare have used the word in the same sense :

'When with fierce winds Orion armed  
Hath vexed the Red Sea Coast' ;

and 'The still-vex'd Bermoothes.'

Page 71. 25 'No climate.' Possibly Burke had in his mind 'Quæ regio in terris nostri non plena laboris?' *Aen.*, i. 460.

72. 38 'Caught by a foreign enemy.' Before the end of the American war, England had to reckon both with France and Spain, as well as with Ireland.

73. 21 'A love of freedom.' Johnson has some feeble, but laughable, sarcasms on this argument: 'But we are soon told that . . . the continent of North America contains three millions not of men only but of Whigs, of Whigs fierce for liberty and disdainful of dominion; that they multiply with the fecundity of their own rattlesnakes, so that every quarter of a century doubles their numbers.' *Taxation no Tyranny. Works*, viii. 158.

35 'Formerly adored.' Burke contrasts the former 'adoration' of liberty with the present supineness of England under the expulsion of Wilkes at the instigation of the king.

74. 2 'Abstract liberty . . . is not to be found.' See the argument in the early part of the *Reflections*: 'We have always wished to derive our liberty as an inheritance from our forefathers.' *Works*, i. 393, 4.

7 'The great contests for freedom,' e.g. *Magna Charta, Confirmatio Chartarum*, and the *Petition of Right*.

75. 9 'Some are merely popular'; Rhode Island and Connecticut, where the governor was appointed by the Assembly.

76. 4 'A variety of denominations.' The Independents, Baptists, and Quakers were probably the strongest.

7 'Notwithstanding its legal rights.' The Church of England was nominally established in Virginia, Maryland, S. Carolina, N. Carolina. But the Colonists were skilful in evading the maintenance of the endowments. In Virginia it was customary for each parish to hire its incumbent from year to year, so that no freehold in the endowment might be established. By a curious anomaly the Episcopal Church in America was without Bishops. At the close of George II.'s reign, Lord Halifax, then Secretary of State for the Colonies, proposed to introduce them. But the scheme was received with suspicion by the Colonists, and regarded as part of an attempt to undermine their liberties. See *Bancroft*, i. 87; ii. 13-22, 532, 553; iii. 65-7. Burke does not seem to have been aware how little hold the Establishment had in any one of the Colonies.

20 'Has a regular establishment.' See previous note.

25 'A vast multitude of slaves.' Johnson pertinently asks: 'How is it that we hear the loudest yelps for liberty from the drivers of negroes?' *Taxation no Tyranny. Works*, viii. 204. But see note on p. 85. 17.

30 'As broad and general.' *Macbeth*, iii. iv. 23.

*Page 77.* 2 'Ancient Commonwealths.' It has been calculated that at least three quarters of the population of Athens were slaves. Boeckh, *Public Economy*, i. 52. At Rome the proportion can hardly have been much less. A law of Julius Cæsar ordained that not more than two-thirds of those employed in cultivating the land should be slaves, and under the empire the number of slaves must have increased. See Suetonius, *Julius*, 42; Mommsen, ii. 369, &c.

2 'Our Gothic ancestors.' Slavery, however, played a very small part in the life of the German tribes. Stubbs, i. 22, 78.

3 'Were the Poles.' The state of the serfs in Poland was extremely wretched. See Sybel, *French Revolution*, ii. 383; 405-7. 'Were,' because the First Partition of Poland had taken place in 1772.

10 'The law so general a study.' Contrast this view of the effects of legal study with that taken in the previous speech. Page 26. 3.

20 'Blackstone's Commentaries,' still the chief text-book on the principles of English law. The first edition, published in 1764, was reckoned to support the popular cause; the tone of later editions was monarchical, as Blackstone had sorrowful occasion to remember, when he advocated the expulsion of Wilkes. Trevelyan, *Life of Fox*, p. 186; *Junius*, i. 165, 185. The Introduction to the *Commentaries* is the object of a scathing attack by Bentham in the *Fragment on Government*.

21 'General Gage' was now Governor of Massachusetts, as well as Commander-in-Chief. See note on p. 39. 28.

23 'All the people are lawyers.' The most famous in Massachusetts were James Otis and Samuel Adams. See note on p. 29. 15.

30 'My learned friend.' Thurlow, who had become Attorney-general in 1771, and was made Chancellor in 1778. Burke hints that he had sold himself to the Government. Whether this be true or no, it is certain that he intrigued shamelessly during the madness of the king in 1788, and that, when dismissed from office a few years later, he went into factious opposition. Burke's sarcasms would have fitted the Solicitor-general (Wedderburn) still better. See note on p. 1. 1.

37 'Abeunt studia in mores.' Ovid, *Her.*, xv. 83.

78. 6 'Snuff the approach.' Burke probably had in mind the following passage of Addison's *Campaign*:

'So the staunch hound the trembling deer pursues,  
And smells his footsteps in the tainted dews,  
But when the scent comes warm in every breeze,' &c.

13 'Months pass.' The general length of the voyage was five or six weeks, but sometimes it was much longer. See p. 42.

26 'The Turk.' A striking illustration of this is found in the distant provinces of the Russian empire at the present day.

79. 23 'All its imperfections.' Quoted from *Hamlet*, i., v. 77.

*Page 80.* 12 'Theirs has succeeded.' The success was most complete in Massachusetts and Virginia. Each of these colonies constituted in the latter half of 1774 an independent assembly. Within three months from the time when Burke spoke (June 1775), Virginia had resolved that 'all laws or commissions derived from King or Parliament are annulled.' The meeting of a general congress at Philadelphia, in September, 1774, was a yet clearer proof of Burke's contention. See Bancroft, iv. 34-134, 203; *Ibid.*, vi. 234 (ed. 12mo. ; no date).

16 'Lord Dunmore,' appointed governor of Virginia in 1770, on the death of Botetourt. He had previously, for a short time, been governor of New York. Bancroft, iii. 396.

29 'Go round and round.' Goldsmith well described Burke as 'winding his way into a subject like a serpent.' See Boswell's *Johnson*, ii. 242.

81. 30 'If I were capable,' a sarcasm on the Speaker's impatience. See note on p. 20. 8.

82. 1 'Giving up the Colonies.' See note on p. 40. 39.

18 'In private hands'; *e.g.*, the proprietaries of Pennsylvania (the Penns) and of Maryland (Lord Baltimore). Bancroft, ii. 395, 529.

27 'Occupy without grants.' The most striking instance of this was the colonisation of Kentucky, in 1777. Bancroft, iv. 194, 5.

34 'Apalachian Mountains,' the Alleghanies, or the Blue Mountains, forming the eastern side of the Ohio and Mississippi valleys.

83. 3 'Irresistible cavalry,' such as the 'prairie-boys' of the American civil war.

8 'Increase and multiply.' 'Be fruitful and multiply'; the words of God to Noah. *Genesis*, ix. 1.

11 'Given to the children of men.' *Psalm cxv. 16.* Common-sense here impels Burke to violate his professed principle of avoiding abstract arguments. Locke had used this quotation in the same way. *Civil Government*, v. 25. *Works*, ii. 166.

37 'Preposterous,' in its literal sense 'a reversal of the natural order.' See p. 15. 35.

84. 8 'Spoliatis arma supersunt.' Juvenal, viii. 134.

15 'Speech would betray you.' 'Thy speech bewrayeth thee.' *Matthew xxvi. 73.*

20 'Substitute the Roman Catholic.' A sarcasm perhaps suggested by the 'Quebec Act' of 1774, which had established the Catholic Church in French Canada. It was maliciously said at the time that North's ministry favoured the Catholics, owing to their supposed absolutist principles. It is certain that Burke himself urged concession to the Irish Catholics during the struggle with revolutionary France from this motive. See Bancroft, iv. 80. 'You are driving into Jacobinism that description of your people whose religious principles, church

polity, and habitual discipline, might make them an invincible dyke against that inundation.' Burke's *Works*, ii. 452.

Page 84. 22 'Dragooning,' a word adopted from the iniquitous *dragonades* of Louis XIV., employed to coerce the Huguenots after the Revocation of the Edict of Nantes (1685). Michelet, *History*, xiii. 301-315.

26 'Burn their books.' *Acts* xix. 19.

37 'General enfranchisement.' In 1775 Dunmore actually attempted (but in vain) to raise a regiment of enfranchised slaves, to be called (absurdly enough) 'Lord Dunmore's Ethiopians.' Bancroft, iv. 318. A little later, Red Indians were enlisted as 'a means which God and nature had put into our hands.' Chatham, in one of his most splendid appeals, justly branded this as the 'employment of hell-hounds.' See fragments of the speech in Mahon's *History*, vi. 201-3, and Appendix, p. xxxix.

85. 10 'Other people,' e.g., the Athenians after the battle of Arginusæ, and the Romans during the struggle against Hannibal. See Aristophanes, *Frogs*, 33; Arnold's *His'ory of Rome*, iii. 169.

13 'Unfortunate black people.' It should be remembered that Burke, at a time (1780) 'when abolition would have seemed a very chimerical project,' had striven hard to reduce the horrors of the slave trade. In the cause of total abolition he was less ardent than either Pitt or Fox. See *Sketch of a Negro Code: Works*, ii. 419-428.

17 'Causes of quarrel.' As early as 1761 the assembly of Virginia had voted a prohibitory tax on the importation of slaves; South Carolina had passed a like vote. Both votes were disallowed by the Home Government. But Virginia, largely influenced by Jefferson, did not allow the question to sleep; and in 1770 the king found it necessary to command Dunmore, 'upon pain of his highest displeasure, to assent to no law by which the importation of slaves should be in any respect prohibited or obstructed.' In spite of this, the Virginia Convention of 1774 passed a unanimous resolution against the importation or purchase of slaves; and Virginia was supported by the assemblies of other colonies, i.e., Massachusetts, New York, Pennsylvania, and North Carolina. An early measure of the General Congress in 1774 was to renew the vote of Virginia and to strengthen it by a resolve to 'boycott' all those concerned in the slave trade. Bancroft, ii. 549; iii. 410; iv. 34, 74. To explain the disgraceful policy of the English Government, it must be stated that, by the 'Assiento' clause of the Treaty of Utrecht, England had secured the monopoly of importing slaves both to the Continent of America and to the West Indies. A quarter of this monopoly was at once sold to the king of Spain; the remaining three-quarters rested with England. Bancroft, ii. 209.

28 'Ye gods, annihilate.' This is quoted in *The Art of Sinking in Poetry*, as an instance of bombast; but no reference is given, and I have been unable to trace it further. See Swift's *Works*, iv. 112.

Page 86. 3 'The thing seems a great deal too big.' Compare the argument of Diodotus against Cleon in the parallel case of the Mytilenaean Revolt. *Thuc.*, iii. 44.

3 'I do not know the method.' He learnt it before he came to write on the French Revolution. See note on *Reflections*, p. 20. 15 in this Series.

16 'Sir Edward Coke.' At the trial of Raleigh (1603), Coke, then Attorney-General, attacked him thus: 'Thou viper! for I thou thee, thou traitor! I will prove thee the rankest traitor in all England.' *Gardiner's History*, i. 128.

37 'Ex vi termini.' By the very force of the term (the Scholastic meaning of 'terminus').

87. 30 'The most odious of all wrongs.' An allusion to the maxim, 'Summum jus, summa injuria.' See page 89.

88. 7 'A rebellion.' On February 2, 1775 (the day after Chatham's motion for reconciliation was rejected by the Lords), the Commons, at the instigation of North, addressed the king, declaring Massachusetts to be in rebellion. *Bancroft*, iv. 117.

9 'Henry VIII.' See note on p. 12. 9.

36 'Comply with the spirit as necessary.' Contrast the less diplomatic, and more generous, language of Chatham (January, 1766). 'The gentleman (Grenville) tells us America is obstinate, America is almost in open rebellion. I rejoice that America has resisted. If its millions of inhabitants had submitted, taxes would soon have been laid on Ireland; and, if ever this nation should have a tyrant for its king, six millions of freemen, so dead to all the feelings of liberty as voluntarily to submit to be slaves, would be fit instruments to make slaves of the rest.' *Bancroft*, iii. 181.

89. 21 'The giving away a man's money.' See the argument of Chatham. Note to p. 34. 13.

26 'A right of taxation is necessarily involved.' Grenville (January, 1765) had said: 'That this kingdom has the supreme legislative power over America cannot be denied, and taxation is a part of that sovereign power.' *Bancroft*, iii. 179. The Declaratory Act had purposely, and with disastrous results, left the question open.

33 'Great Serbonian bog.' *Paradise Lost*, ii. 592.

90. 1. 'It is not what a lawyer.' The 'right' which Burke attacks in these speeches is *legal* right. His own principle of Expediency, if exclusively adopted, would have also debarred him from the appeal to *moral* or *abstract* right, which, however, he makes in the next sentence, when he speaks of 'humanity, reason, and justice.' And Burke does make *abstract* Right the object of his attack, and Expediency his exclusive standard, in most of his writings against the French revolution, of

which abstract Right (as urged by Rousseau) was the moving principle. Yet, even in later years, he was forced at times, in defiance of his avowed principle, to appeal to abstract Right. See *Reflections. Works*, i. 417; and the magnificent close to his last speech on the Impeachment of Hastings. *Works*, viii. 439 (Bohn's ed.). It is noticeable that, both in the Congress of 1765 (Bancroft, iii. 514, ed. 12mo) and in the Declaration of Independence ('all men are created equal'), the Americans appealed to Right, in its most abstract sense. Bancroft, v. 326.

*Page 90.* 16 'Diversity of operations.' *I Cor.* xii. 6.

91. 9 'Few American financiers,' *i.e.*, few who desire to raise a revenue from America. See p. 115. 29.

20 'A gentleman of real moderation,' Mr. Rice.

29 'The noble lord,' North.

92. 9 'You keep up revenue laws.' Compare the dispute whether the five taxes had been repealed on commercial grounds, or 'on a principle of political expediency.' pp. 6-10.

16 'idolising.' So 'The Act of Navigation was his (Grenville's) idol.' p. 26. 34.

33 'There is not a shadow of evidence.' See notes on pp. 3. 31, 52. 1.

93. 7 'Preposterous.' See note on p. 15. 35.

10 'But the Colonies will go further.' See p. 3.

94. 7 'Genius of the English Constitution.' This may be a sly thrust at Chatham, who more than once used the phrase; *e.g.* 'I call upon the honour of your lordships to reverence the dignity of your ancestors and to maintain your own; I call upon the spirit and humanity of my country to vindicate the national character; I invoke the genius of the Constitution.' Speech on the employment of Red Indians in the British army. Mahon's *History*, vi. 202.

9 'Four capital examples.' Two of these (Chester and Durham) had been cited by Grenville, as supporting the other side of the question. Chatham at once retorted: 'I came not here armed at all points with law cases and Acts of Parliament, with the statute-book doubled down in dogs' ears, to defend the cause of liberty. If I had, I would myself have cited the two cases of Chester and Durham, to shew that, even under arbitrary reigns, Parliaments were ashamed of taxing a people without their consent, and allowed them representatives. Why did the gentleman confine himself to Chester and Durham? He might have taken a higher example in Wales, that was never taxed by Parliament till it was incorporated.' Bancroft, iii. 181.

24 'Gave us an House of Commons.' This is an entire mistake. The House of Commons, setting aside the revolutionary experiment of De Montfort (1265), did not come into legal existence till 1295.

*Page 94.* 32 'Sir John Davies,' in his *View of the State of Ireland*, published 1612. 'This then, I note as a great defect that, for the space of 350 years at least, the English laws were not communicated to the Irish, nor the benefit and protection thereof allowed unto them, though they earnestly desired and sought the same.' Again, in his address as Speaker of the Irish Commons in 1613, Davies states that the Counties of Connaught and Ulster were not represented till the reign of Elizabeth, nor the Boroughs till 1613. See H. Morley's edition of Davies, pp. 268, 404. The whole work is of the greatest importance and interest.

37 'Lords Marchers,' of whom the most important were the Clares and the Mortimers. See Davies' *View*, p. 287; Herbert's *Henry VIII.*, 556-571.

95. 12 'Great and flourishing kingdom.' Burke exaggerates both the prosperity and the constitutional privileges of Ireland. An interesting account of them, as they were before 1782, will be found in his *Works*, i. 582.

34 'Rid like an incubus': we should now say 'rode.'

97. 5 'Husbandry,' thirst. So 'There's husbandry in heaven; their candles are all out.' *Macbeth*, II. i. 5.

9 'Twenty-seventh year,' 1536: 'Thirty-fifth,' 1544.

26 'Simul alba.' Horace, *Odes I.* xii. 27-32.

32 Chester, like Durham, was constituted a County Palatine by William I. The Earl of Chester, like the Bishop of Durham, had practically despotic power. Since 1396 the Earldom of Chester has been held by the Prince of Wales. See Stubbs, i. 271.

99. 1 'Barrington,' a contemporary of Burke, a judge in more than one Welsh county court, and therefore an authority on Wales.

3 'The people cannot amount.' Since the discovery of coal and iron, about the time when Burke spoke, the population of Wales has risen to a million and a half.

15 'Virtual representation.' See p. 54. 10 and note.

24 'Opposuit natura.' Juvenal, x. 152—of Hannibal.

30 'The arm of public benevolence': suggested by 'Behold, the arm of the Lord is not shortened.' *Isaiah* lix. 1. So 'What nature has disjoined' is suggested by 'What God hath joined together, let not man put asunder.' *Matthew* xix. 6.

100. 2 'Oceana of Harrington,' published in 1656. It is included in Morley's *Universal Library*.

3 'And the dull swain.' *Comus*, 634.

11 '1763' should rather be 1764. See pp. 21-29.

101. 12 'Non meus hic sermo.' Horace, *Sat. II.* ii. 2. 'Abnormis

sapiens,' *i.e.* an irregular philosopher, by dint of mother wit rather than study.

Page 101. 18 'Touch with a tool,' an allusion to *Exodus* xx. 25.

25 'To be wise beyond.' 'That ye might learn in us not to think [of men] above that which is written.' *1 Cor.* iv. 6.

27 'Abound in their own sense,' *i.e.*, obtrude their own private views. The phrase is taken from French.

102. 6 'When a man is robbed.' Burke was probably thinking of 'Who steals my purse, steals trash,' &c. *Othello*, III. iii. 157. The quotation had been absurdly used in the House of Lords to defend the Stamp Act. Bancroft, iii. 188.

21 'Lord Hillsborough.' See p. 13. 10.

103. 18 'Biennially.' The 'Budget' in Ireland covered two years, instead of one.

104. 3 'Cape Breton.' Its principal town, Louisburg, had been taken from the French by the New England Colonies (mainly Massachusetts) in 1745, during the war of the Austrian Succession. Objections to the reimbursement were afterwards raised in Parliament, on the ground that the Colonies had done no more than their duty. See Bancroft, ii. 307, 349, 417.

32 'Were then in debt to Great Britain'; the debt was mainly incurred to meet the expenses of the war.

35 'On this state,' *i.e.*, according to this estimate, a sense of his French *état*.

36 '£650,000,' *i.e.*, the payment was to be distributed equally over four years.

105. 13 'The produce of the revenue.' See note on p. 9. 31.

106. 29 'The crown has far less power.' See note on p. 75. 9.

107. 2 'To change the Sheriff,' with the view of securing a subservient jury.

6 'The act for bringing persons,' passed in May, 1774. Bancroft, iv. 11.

20 'A fair and unbiased judicature.' The existing system, by which an unpopular judge, without being formally dismissed, might be starved out, was open to just objections. The plan here proposed by Burke was an attempt, perhaps not altogether satisfactory, to guarantee both the rights of the Colonists and the position of the judge. See note to p. 4. 22; Bancroft, ii. 352, 529, 552; iii. 32, 79, 96. To secure (as they thought) the independence of the judges (and the executive) was the chief object of the American 'loyalists' in advocating taxation by the British Parliament. They were proportionally disappointed when they found that the proceeds of the taxes were to be devoted chiefly to maintaining a standing army. See Bancroft, iii. 68.

*Page 107.* 27 'The Courts of Admiralty.' See note to p. 27. 36. They were 'incommodiously situated' because they were often held on ship-board; and 'robbers,' because a part of the fines which they imposed went to maintain their members.

108. 9 'If not,' i.e., 'if the latter three are not carried.'

109. 12 'Gone much beyond.' Burke consistently underrates the discontent excited by the Navigation Acts. See note to pp. 3. 31, 52. 1.

20 'Illation,' inference.

36 'The immediate jewel.' *Othello*, III. iii. 156.

'A great house.' Burke has in mind 'Maxima quæque domus servis est plena superbis.' Juvenal, v. 66.

110. 12 'The cords of man.' 'I drew them with the cords of a man, with bands of love.' *Hosea* xi. 4. 'Aristotle' ('Il maestro di color che sanno, the master of those who know'), *Ethics*, i. 3; *Politics*, iv. 1.

36 'Nor was it ever heard of.' Burke lived to 'hear of,' and to resist, the proposal for abolishing the Irish Parliament in the name of 'unity.' For his views as to 'Grattan's Parliament,' see *Works*, i. 552, 3, ii. 450; and for his opinion as to the proposed Union, see *Works*, i. 558 (written in 1795).

111. 18 'The proposition' of Lord North. This was hurriedly brought forward on February 20, 1775, and, though passed, was very coolly received by the House of Commons. It provided that any Colony (including the West Indian Islands), which taxed itself adequately for imperial purposes, should be exempted from taxation by Parliament. There were also provisions empowering Government to determine what was the due proportion of each Colony. Hence the sarcasms of Burke about 'squabbling Colony Agents' and 'a State Auctioneer.' See Mahon's *History*, vi. 31, 32. The plan was grossly absurd; but it hardly lay with Burke to say so, since it was much the same as that sketched by him at the end of the preceding speech. A far wiser and more liberal plan had been brought forward by Chatham in the Lords, on February 1. This was, in the main, the same as Burke's (of 1775); with the important exception that Chatham proposed to empower the Colonial Congress to fix the amount of the contribution, instead of leaving it (as in Burke's plan) to the caprice of the individual Colonies. This was both more equitable, and more politic, than the proposal of Burke. More equitable, because it was more likely to secure a due proportion between the means of each Colony and its contribution; more politic, because it recognised it to be rightful and expedient that the Colonies should meet in Congress. It had been drawn up with the help of Franklin, who however seems to have played a double part. The House of Lords contemptuously refused even to consider the scheme. See Mahon's *History*, vi. 23-30; Bancroft, iv. 116.

*Page 113.* 12 'At the outcry,' at the call of the 'auctioneer.'

27 'The tobacco of Virginia.' The dilemma is this: Assume Virginia to refuse a free grant. By your own plan, you are bound to punish her by taxation. This must be either of her exports or her imports. If the former, you ruin your own trade; for both the English consumer of tobacco (her chief export) and the foreigner, to whom you re-export it, will buy less. If the latter, then you are either taxing your own exports and so ruining your own manufacturers, or doing the same by those of, e.g., Maryland, which (*ex hypothesi*) is obedient, and therefore deserving not of punishment but of reward. It is strange that these objections had not occurred to Burke when he proposed what was substantially the same scheme in the previous year. See notes to pp. 55. 12, 111. 18.

*Page 114.* 1 'Prohibiting the New England Fishery.' See note on p. 59. 9.

28 'The worst revenue and the worst army.' In Burke's time the Empire, then in its decrepitude, was the laughing-stock of Europe. See the anecdote told by Carlyle in connection with the preparations for the campaign of Rossbach. *Frederick the Great*, vii. 94-98.

115. 29 'The financier.' See note on p. 91. 9.

31 'The first of all revenues,' because it encourages confidence, and therefore enterprise, in commerce.

116. 1 'Posita luditur arca.' 'You play with the strong box before you.' *Juvenal*, i. 90.

38 'Ease would recant.' *Paradise Lost*, iv. 96.

117. 15 'Return in loan' to the East India Company. See note on p. 8. 16.

18 'It is India.' Even Burke was imposed upon by the apparent riches of India. In reality she is a poor country. He was misled by the immense fortunes brought back to England—'forty millions of money at least within our memory.' *Works*, vii. 17 (Bohn's ed.).

37 'Light as air.' *Othello*, III. iii. 322. 'Links of iron' may have been suggested by *Psalm cxlix*. 8.

118. 6 'The cement is gone.' It is possible that Burke had in mind the following passage from Lucan:

'Sic, cum compage soluta

Sæcula tot mundi supraæma coegerit hora,

Antiquum repetens iterum chaos . . . totaque discors

Machina divulsi turbabit foedera mundi.'—*LUCAN*, i. 72-80.

13 'The more perfect'; perhaps suggested by the collect, 'God . . . whose service is perfect freedom.'

35 'Infused through the mighty mass.' Burke had in mind—

'Totamque infusa per artus

Mens agitat molem et magno se corpore miscet.'—*AEn.* vi. 726.

So, in the previous speech, 'One spirit pervades and animates the whole mass.' p. 10. 14.

*Page 119.* 16 'Think that nothing exists.' Burke may have thought of the following passage from Plato: 'Look round to see that none of the vulgar is within hearing: these are the men who believe in nothing but what they can grasp in their clenched fist.' *Theætetus*, 156 E.

27 'Auspicate,' inaugurate.

28 'Sursum corda,' the Latin original of the words in the Communion Service: 'Lift up your hearts.'

31 'Turned a savage wilderness,' suggested by 'He turneth the wilderness into a standing water.' See *Psalm* cvii. 35.

120. 1 'Quod felix,' a religious formula used by the Romans in solemn ceremonies: *e.g.*, Livy, iii. 54. Burke has prepared the way for this metaphor by speaking of 'the sacred temple consecrated to our common faith' on the preceding page.

The Commons rejected Burke's resolution no less contemptuously than the Lords had rejected those of Chatham; the previous question was carried against the first resolution by 270 to 78: of the remainder, some were negative, others put aside by the previous question.

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THE THIRTEEN COLONIES WITH THE DATES OF THEIR FOUNDATION.

New Hampshire	.	.	.	.	1636-1638.
Massachusetts	.	.	.	.	1620-1629.
Rhode Island	.	.	.	.	1635-1639.
Connecticut	.	.	.	.	1636.
New York	.	.	.	.	1664-1674.
New Jersey	.	.	.	.	1664-1674.
Pennsylvania	.	.	.	.	1681.
Delaware	.	.	.	.	1702.
Maryland	.	.	.	.	1629.
Virginia	.	.	.	.	1584-1607.
N. Carolina	.	.	.	.	1663-1669.
S. Carolina	.	.	.	.	1663-1669.
Georgia	.	.	.	.	1732.

The first four of these (together with the Territory of Maine, attached to Massachusetts, and that of Vermont, claimed both by New Hampshire and Connecticut) formed New England. New York and New Jersey were taken by conquest from the Dutch. Delaware was originally attached to Pennsylvania, though not legally included in the grant to Penn; after many disputes it was finally made an independent colony in 1702. The remaining colonies formed the stronghold of slavery: it is estimated that Maryland and S. Carolina had between 40000 and 50,000 slaves apiece, and Virginia considerably more than twice that number. See Bancroft, Part I., chaps. v., vi., x., xii., xiii., xvi.; Part II., chaps. vii., xiv., xvi.; Part III., chaps. ii. xvi.

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